

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

9044 SENATE STATE AFFAIRS

1 certification prescribed in AS 09.63.020.

2 \* Sec. 23. AS 15.20.190(a) is amended to read:

3 (a) Thirty days before [PRIOR TO] the date of an election, the election  
4 supervisors shall appoint, in the same manner provided for the appointment of election  
5 judges prescribed in AS 15.10.150, district absentee ballot counting boards and district  
6 questioned ballot counting boards, each composed of at least four members, At least  
7 one member of each board must be a member of the same political party of which  
8 the governor is a member, and at least one member of each board must be a  
9 member of the political party whose candidate for governor received the second  
10 largest number of votes in the preceding gubernatorial election [, TWO FROM  
11 EACH POLITICAL PARTY]. The district boards shall assist the election supervisors  
12 in counting the absentee and questioned ballots and shall receive the same  
13 compensation paid election judges under AS 15.15.380.

14 \* Sec. 24. AS 15.20.201(b) is amended to read:

15 (b) Counting of absentee ballots that [WHICH] have been reviewed shall  
16 begin at 8:00 p.m., local time, on the day of the election at places designated by each  
17 election supervisor and shall continue until all absentee ballots reviewed and eligible  
18 for counting have been counted. The counting teams shall report the count of absentee  
19 ballots to the district absentee ballot counting board. An election supervisor or an  
20 election official may not count [REMOVE] absentee ballots [FROM THE SMALL,  
21 INNER ENVELOPES] before 8:00 p.m., local time, on the day of the election.  
22 Counting of the absentee ballots shall continue at times designated by the election  
23 supervisor until all absentee ballots are counted.

24 \* Sec. 25. AS 15.20.203(c) is amended to read:

25 (c) Any person present at the district absentee ballot counting review may  
26 challenge the name of an absentee voter when read from the voter's certificate on the  
27 [BACK OF THE LARGE] envelope if the person has good reason to suspect that the  
28 challenged voter is not qualified to vote, is disqualified, or has voted at the same  
29 election. The person making the challenge shall specify the basis of the challenge in  
30 writing. The district absentee ballot counting board by majority vote may refuse to  
31 accept and count the absentee ballot of a person properly challenged on grounds listed

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in (b) of this section.

\* Sec. 26. AS 15.20.203(c) is amended to read:

(c) If an absentee ballot is not rejected, the [LARGE] envelope shall be opened and the secrecy sleeve [SMALL ENVELOPE] containing the absentee ballot shall be placed in a container and mixed with other secrecy sleeves [SMALL ENVELOPES].

\* Sec. 27. AS 15.20.203(f) is amended to read:

(f) The secrecy sleeves [SMALL ENVELOPES] shall be drawn from the container, the absentee ballots shall be removed from the secrecy sleeves [OPENED], and the absentee ballots counted at the times specified in AS 15.20.201 and according to the rules for determining properly marked ballots in AS 15.15.360.

\* Sec. 28. AS 15.20.207(c) is amended to read:

(c) Any person present at the district questioned ballot review may challenge the name of a questioned voter when read from the voter's certificate on the [BACK OF THE LARGE] envelope if the person has good reason to suspect that the questioned voter is not qualified to vote, is disqualified, or has voted at the same election. The person making the challenge shall specify the basis of the challenge in writing. The district questioned ballot counting board by majority vote may refuse to accept and count the questioned ballot of a person properly challenged under grounds listed in (b) of this section.

\* Sec. 29. AS 15.20.207(e) is amended to read:

(e) If a questioned ballot is not rejected, the [LARGE] envelope shall be opened and the secrecy sleeve [SMALL ENVELOPE] containing the questioned ballot shall be placed in a container and mixed with other secrecy sleeves [SMALL ENVELOPES] containing questioned ballots.

\* Sec. 30. AS 15.20.207(f) is amended to read:

(f) The secrecy sleeves [SMALL ENVELOPES] shall be drawn from the container, the questioned ballots shall be removed from the secrecy sleeves [OPENED], and the questioned ballots counted at the times specified in AS 15.20.205 and according to the rules for determining properly marked ballots in AS 15.15.360.

\* Sec. 31. AS 15.20.207(g) is amended to read:

(g) Upon completion of the questioned ballot review, the election supervisor

1 shall prepare an election certificate for execution by the district questioned ballot  
2 counting board, and shall forward the original certificate and returns to the director as  
3 soon as the count is completed but no later than the 11th [NINTH] day following the  
4 election.

5 \* Sec. 32. AS 15.20.620(c) is amended to read:

6 (c) As a security precaution, after the computer has been tested as prescribed  
7 in (b)(2) and (4) of this section,

8 (1) the vote-counting task shall remain isolated from nonrelated  
9 processing tasks;

10 (2) [PROCESSING NOT CONCERNED WITH VOTE COUNTING  
11 SHALL BE LIMITED TO TASKS WHICH ARE CRITICAL TO THE COMPUTER  
12 CENTER AND SHALL BE AGREED UPON IN ADVANCE BY THE MANAGER  
13 OF THE COMPUTER CENTER AND THE DIRECTOR;

14 (3)] reasonable computer security controls shall be in effect to assure  
15 the integrity of the vote-counting process; and

16 (3) [(4)] access to the computer counting area shall be controlled by the  
17 data processing review board until the vote-counting process is terminated.

18 \* Sec. 33. AS 15.20.620(f) is amended to read:

19 (f) At any time during the count, party representatives or members of the data  
20 processing review board may request a listing of the parameter coding that  
21 [PROGRAM SOURCE CODE WHICH] comprises the instructions to be executed by  
22 the computer.

23 \* Sec. 34. AS 15.20.640(a) is amended to read:

24 (a) Immediately after the polls have closed, the ballot box shall be opened by  
25 election board members in full view of all persons present, and all ballots shall be  
26 removed [FROM THE BALLOT ENVELOPES].

27 \* Sec. 35. AS 15.20.700(c) is amended to read:

28 (c) The backup documentation for each counting session (BALLOT IMAGE  
29 MAGNETIC TAPE WHICH CONTAINS AN EXACT IMAGE OF EACH COUNTED  
30 BALLOT) shall be retained in a secure manner by the election supervisor until the  
31 director determines that it is no longer needed.

1 \* Sec. 36. AS 15.20.740 is amended to read:

2           Sec. 15.20.740. QUESTIONED PUNCH-CARD BALLOTS. The procedure  
3 for reviewing and counting questioned punch-card ballots is the same procedure  
4 established in AS 15.20.205 and 15.20.207 for hand-marked ballots except that  
5 questioned punch-card ballots may be processed by the computer from the third  
6 through the 10th [EIGHTH] day following the election. The data processing review  
7 board shall supervise the count and shall follow the procedure established in  
8 AS 15.20.680 and 15.20.685.

9 \* Sec. 37. AS 15.20.800(d) is amended to read:

10           (d) The voter may cast the ballot under AS 15.20.081(d) - (f)  
11 [AS 15.20.081(d) - (e)].

12 \* Sec. 38. AS 15.58.060(a) is amended to read:

13           (a) Each general election candidate shall pay to the lieutenant governor at the  
14 time of filing material under this chapter the following:

15                   (1) President or Vice-President of the United States, United States  
16 senator, United States representative, governor, lieutenant governor, supreme court  
17 justice and court of appeals judge, \$300 [\$150] each;

18                   (2) superior court judge and district court judge, \$150 [\$75] each;

19                   (3) state senator and state representative, \$100 [\$50] each.

20 \* Sec. 39. AS 15.58.060(b) is amended to read:

21           (b) The state chair [CHAIRMAN] or executive committee of a political party  
22 shall pay to the lieutenant governor at the time of filing material under this chapter  
23 \$600 [\$300] for each page purchased.

24 \* Sec. 40. AS 15.05.040 and AS 15.07.170 are repealed.

25 \* Sec. 41. This Act takes effect immediately under AS 01.10.070(c).

9-GS0051VF  
Chenoweth  
4/10/96

CS FOR SENATE BILL NO. 182( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to elections, to the division of elections, and to voter  
2 registration procedures; and providing for an effective date."

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

4 \* Section 1. AS 15.07.050 is amended to read:

5 Sec. 15.07.050. MANNER OF REGISTRATION [IN PERSON OR BY  
6 MAIL]. Registration may be made

7 (1) in person before a registration official or through a voter registration  
8 agency;

9 (2) [. OR MAY BE MADE] by mail; or

10 (3) by facsimile transmission or another method of electronic  
11 transmission that the director approves.

12 \* Sec. 2. AS 15.07.060(a) is amended to read:

13 (a) Each applicant who requests registration or reregistration shall supply the  
14 following information [UNDER O.R.T.H]:

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- (1) name and sex;
- (2) address and other necessary information establishing residence, including the term of residence in the state and in the district, if requested;
- (3) whether the applicant has previously been registered to vote in another jurisdiction, and, if so, the jurisdiction and the address of the previous registration;
- (4) a declaration that the registrant will be 18 years of age or older within 90 days of the date of registration;
- (5) a declaration that the registrant is a citizen of the United States;
- (6) date of application;
- (7) signature or mark;
- (8) any former name under which the applicant was registered to vote in the state;
- (9) an attestation that the information provided by the applicant in (1) - (8) of this subsection is true; and
- (10) a certification that the applicant understands that a false statement on the application may make the applicant subject to prosecution for a misdemeanor under this title or AS 11.

\* Sec. 3. AS 15.07.070(b) is amended to read:

(b) To register by mail or by facsimile or other electronic transmission approved by the director under AS 15.07.050, the director, the area election supervisor, or a voter registration agency shall furnish, at no cost to the voter, forms prepared by the director on which the registration information required under AS 15.07.060 shall be inserted by the voter, or by a person on behalf of the voter if the voter is physically incapacitated. The director may require proof of identification of the applicant as required by regulations adopted by the director under AS 44.62 ~~(THE)~~ Administrative Procedure Act ~~((AS 44.62))~~. Upon receipt and approval of the completed registration forms the director or the election supervisor shall forward to the voter an acknowledgment in the form of a registration card, and the voter's name shall immediately be placed on the master register located in the office of the director and on the district register located in the office of the election supervisor. If the

1 registration is denied, the voter shall immediately be informed in writing that  
2 registration was denied and the reason for denial.

3 \* Sec. 4. AS 15.07.070(c) is amended to read:

4 (c) The names of persons submitting completed registration forms by mail that  
5 are postmarked at least 30 days before the next election, or submitting completed  
6 registration forms by facsimile or other electronic transmission approved by the  
7 director under AS 15.07.050 that are received at least 30 days before the next  
8 election, shall be placed on the official registration list for that election. If a  
9 registration form received by mail less than 30 days before an election does not have  
10 a legible and dated postmark, the name of the person submitting the form shall be  
11 placed on the official registration list for that election if the form was signed and dated  
12 by the person at least 30 days before the election and if the form is received by the  
13 director or election supervisor at least 25 days before the election. The name of a  
14 person submitting a completed registration form by mail or by facsimile or other  
15 electronic transmission that does not meet the applicable requirements of this  
16 subsection may not be placed on the official registration list for that election but shall  
17 be placed on the master register after that election.

18 \* Sec. 5. AS 15.07.070(f) is amended to read:

19 (f) Incomplete or inaccurate registration forms may not be accepted. A person  
20 who submitted an incomplete or inaccurate registration form may register by  
21 reexecuting and resubmitting a registration form in person, [OR] by mail, or by  
22 facsimile or other electronic transmission approved by the director under  
23 AS 15.07.050. The requirements of (c) or (d) of this section apply to a registration  
24 form resubmitted under this subsection.

25 \* Sec. 6. AS 15.07.070(h) is amended to read:

26 (h) The director shall design the form of the voter's certificate appearing on  
27 the [LARGE] envelope that is used for voting a questioned ballot so that all  
28 information required for registration by AS 15.07.060(a) may be obtained from a voter  
29 who votes a questioned ballot. If the voter voting a questioned ballot has completed  
30 all information on the voter registration portion of the questioned ballot voter's  
31 certificate, the director shall place the name of the voter on the official registration list.

1 \* Sec. 7. AS 15.07.130(b) is amended to read:

2 (b) When a registered voter has not indicated in writing a desire to remain  
 3 registered within the preceding four [TWO] calendar years and has neither [NOT]  
 4 *see 12-31-01* voted nor appeared to vote in the last two general elections [A LOCAL,  
 5 REGIONAL SCHOOL BOARD, PRIMARY, SPECIAL, OR GENERAL ELECTION  
 6 AT LEAST ONCE IN TWO CONSECUTIVE CALENDAR YEARS], the voter shall  
 7 be advised by a notice sent by forwardable mail to the voter's last known address that  
 8 registration will be inactivated unless the voter responds to the notice at least 30 days  
 9 before the date of the next primary election on a form furnished by the director. The  
 10 director shall maintain on the master register the name of a voter whose registration  
 11 is inactivated. The director shall cancel a voter's inactive registration after the second  
 12 general election that occurs after the registration becomes inactive if the voter does not  
 13 vote or appear to vote [EITHER A QUESTIONED BALLOT OR AN ABSENTEE  
 14 BALLOT THAT IS COUNTED UNDER AS 15.15.198(b) AT OR BEFORE THAT  
 15 ELECTION].

16 \* Sec. 8. AS 15.07.130(d) is amended to read:

17 (d) The notice described in (b) of this section must include a postage prepaid  
 18 and pre-addressed return card on which the voter may state the voter's current address.  
 19 The notice must indicate

20 (1) that the voter should return the card not later than 30 days before  
 21 the next primary election if the voter did not change residence;

22 (2) that the voter may vote only a questioned or absentee ballot if the  
 23 voter does not return the card at least 30 days before the next primary election;

24 (3) that the voter's registration will be cancelled if the voter does not  
 25 vote or appear to vote in an election held during the period beginning on the date of  
 26 the notice and ending on the day after the date of the second general election that  
 27 occurs after the date of notice; and

28 (4) how the voter can continue to be eligible to vote if the voter has  
 29 changed residence.

30 \* Sec. 9. AS 15.07.130 is amended by adding a new subsection to read:

31 (e) For purposes of (b) and (d) of this section, a voter "appears to vote" if the

1 voter

2 (1) is present at a polling place or at an absentee voting station at a  
3 time when the polling place or absentee voting station is operating, for the purpose of  
4 casting a vote; or

5 (2) applies to the division to obtain an absentee ballot.

6 \* Sec. 10. AS 15.07.190 is amended to read:

7 Sec. 15.07.190. VIOLATIONS. A person who violates AS 15.07.180  
8 [AS 15.07.170 OR 15.07.180] is guilty of a misdemeanor and upon conviction is  
9 punishable by imprisonment for not more than one year, or by a fine of not more than  
10 \$1,000, or by both.

11 \* Sec. 11. AS 15.10.110 is amended to read:

12 Sec. 15.10.110. APPOINTMENT OF ELECTION SUPERVISORS. The  
13 director shall appoint election supervisors, including one in each of the municipalities  
14 of Juneau, Anchorage, Fairbanks, and Nome, to assist in the administration of elections  
15 in the election districts designated by the director. The director may appoint as an  
16 election supervisor a person who is a qualified voter in the area over which the person  
17 has jurisdiction and who meets the applicable requirements of AS 15.10.105(b)  
18 [DOES NOT HOLD AN OFFICE IN A POLITICAL PARTY]. An election supervisor  
19 is entitled to receive compensation in an amount that is comparable to that received  
20 for similar state employment as determined by the director.

21 \* Sec. 12. AS 15.15.030(5) is amended to read:

22 (5) The state general election ballot shall be printed on white paper  
23 with the names of the candidates and their party designations placed in separate  
24 sections under the office designation to which they were nominated. The party  
25 affiliation, if any, shall be designated after the name of the candidate. The lieutenant  
26 governor and the governor shall be included under the same section. Provision shall  
27 be made for voting for write-in and no-party candidates within each section. [THE  
28 SQUARES APPEARING ON THE BALLOTS SHALL MEASURE 1/4 INCH ON  
29 EACH SIDE.]

30 \* Sec. 13. AS 15.15.140(a) is amended to read:

31 (a) If the election board receives an insufficient number of official [PAPER

1           BALLOTS, OFFICIAL PUNCH-CARD] ballots [,] or official election materials, it  
2           shall provide and the voters may use unmarked substitute ballots or other election  
3           materials to indicate the intent of the voter.

4           \* Sec. 14. AS 15.15.198(b) is amended to read:

5                   (b) A person whose registration is inactive under AS 15.07.130(b) and who  
6           votes a questioned or absentee ballot shall have the ballot counted if

7                           (1) the person was registered to vote for either of the two most recent  
8           general elections;

9                           (2) the person signs [UNDER OATH] a statement to that effect; and

10                          (3) the earlier registration is verified by the director.

11           \* Sec. 15. AS 15.15.210 is amended to read:

12                   Sec. 15.15.210.       QUESTIONING OF VOTERS OF SUSPECT  
13           QUALIFICATION. Every election judge and election clerk shall question, and every  
14           watcher and any other person qualified to vote in the precinct may question a person  
15           attempting to vote if the questioner has good reason to suspect that the questioned  
16           person is not qualified to vote. All questions regarding a person's qualifications to  
17           vote shall be made in writing setting out the reason the person has been questioned.  
18           A questioned person before voting shall subscribe to a declaration [AN OATH OR  
19           AFFIRMATION] in a form provided by the director attesting to the fact that in each  
20           particular the person meets all the qualifications of a voter, is not disqualified, and has  
21           not voted at the same election, and certifying that the person understands that a  
22           false statement on the declaration may subject the person to prosecution for a  
23           misdemeanor under this title or AS 11. The questioned person shall also state the  
24           place from which that person came immediately before living in the precinct where  
25           offering to vote and the length of time of residence in the former place. After the  
26           questioned person has executed the declaration [OATH OR AFFIRMATION], the  
27           person may vote. If the questioned person refuses to execute the declaration [OATH  
28           OR AFFIRMATION], the person may not vote.

29           \* Sec. 16. AS 15.15.215(a) is amended to read:

30                   (a) A voter who casts a questioned ballot shall vote the ballot in the same  
31           manner as prescribed for other voters. The [AFTER THE ELECTION JUDGE

1 REMOVES THE NUMBERED STUB FROM THE BALLOT, THE] voter shall insert  
2 the ballot into a secrecy sleeve, the election judge shall remove the numbered stub  
3 from the ballot, and the voter shall [SMALL ENVELOPE AND] put the secrecy  
4 sleeve [SMALL ENVELOPE] into an [A LARGER] envelope on which the statement  
5 the voter previously signed is located. The envelope [THESE LARGER  
6 ENVELOPES] shall be sealed and deposited in the ballot box. When the ballot box  
7 is opened, the [THESE] envelopes shall be segregated, counted, compared to the  
8 voting list, and delivered to the official or body supervising the election. The merits  
9 of the question shall be determined by this official or body in accordance with the  
10 procedure prescribed for questioned votes in AS 15.20.207.

11 \* Sec. 17. AS 15.15.440 is amended to read:

12 Sec. 15.15.440. DATES FOR OPENING AND CLOSING STATE BALLOT  
13 COUNTING REVIEW. The state ballot counting review shall begin no earlier  
14 [LATER] than 11 days after an [THE] election and no later than 16 days after an  
15 election, and shall be continued [DAILY] until completed. The director may designate  
16 the hours each day during which the state ballot counting review board is to conduct  
17 its ballot counting review. The director shall close the review when the director is  
18 satisfied that no missing precinct certificate of election would, if received, change the  
19 result of the election. If no election certificate has been received from a precinct, the  
20 director may secure from the election supervisors and may count a certified copy of  
21 the duplicate election certificate of the precinct. If no election materials have been  
22 received, but election results have been received by telephone, telegram or radio, the  
23 director shall count the election results so received. If the director has reason to  
24 believe that a missing precinct certificate, if received, would affect the result of the  
25 election, the director shall await the receipt of the certificate until the close of business  
26 on the 15th day after the date of election. A certificate not actually delivered to the  
27 director by the close of business on the 15th day after the election may not be counted  
28 at the state ballot counting review.

29 \* Sec. 18. AS 15.20.010 is repealed and reenacted to read:

30 Sec. 15.20.010. PERSONS WHO MAY VOTE ABSENTEE. At any election  
31 a qualified voter may vote an absentee ballot for any reason.

1 \* Sec. 19. AS 15.20.030 is amended to read:

2 Sec. 15.20.030. PREPARATION OF BALLOTS, ENVELOPES, AND OTHER  
3 MATERIAL. The director shall provide ballots for use as absentee ballots in all  
4 districts. The director shall provide a secrecy sleeve [SMALL ENVELOPE] in which  
5 the voter shall initially place the marked ballot, and shall provide an [A LARGER]  
6 envelope [,] with the prescribed voter's certificate on it [THE BACK], in which the  
7 secrecy sleeve [SMALL ENVELOPE] with ballot enclosed shall be placed. The  
8 director shall prescribe the form of and prepare the voter's certificate, envelopes, and  
9 other material used in absentee voting. The voter's certificate shall include an oath,  
10 for use when required, that the voter is a qualified voter in all respects, a blank for the  
11 voter's signature, a certification that the affiant properly executed the marking of the  
12 ballot and gave the voter's identity, blanks for the attesting official or witnesses, and  
13 a place for recording the date the envelope was sealed and witnessed.

14 \* Sec. 20. AS 15.20.061(c) is amended to read:

15 (c) On receipt of an absentee ballot in person, the voter shall proceed to mark  
16 the ballot in secret, to place the ballot in the secrecy sleeve [SMALL ENVELOPE],  
17 to place the secrecy sleeve [SMALL ENVELOPE] in the [LARGER] envelope  
18 provided, and to sign the voter's certificate on the [BACK OF THE LARGER]  
19 envelope in the presence of the election official who shall sign as attesting official and  
20 date that signature. The election official shall then accept the ballot.

21 \* Sec. 21. AS 15.20.071 is repealed and reenacted to read:

22 Sec. 15.20.071. ABSENTEE VOTING BY PERSONAL REPRESENTATIVE.

23 (a) A qualified voter with a disability who, because of that disability, is unable to go  
24 to a polling place to vote may vote an absentee ballot through a personal  
25 representative.

26 (b) A personal representative may apply in writing to the following election  
27 officials, at the times specified, for an absentee ballot on behalf of a voter who is  
28 eligible under (a) of this section:

29 (1) to an absentee voting official on or after the 15th day before an  
30 election up to and including the day of the election;

31 (2) to an election supervisor

1 (A) after a date announced by the director under  
2 AS 15.20.048(b); and

3 (B) on or after the 15th day before an election up to and  
4 including the day of the election;

5 (3) to an absentee voting official at an absentee voting station  
6 designated under AS 15.20.045(b) at a time when the absentee voting station is in  
7 operation;

8 (4) to a member of a precinct election board on election day.

9 (c) The application by the personal representative shall be signed by the  
10 personal representative and must include the following:

11 (1) the full name and full residence address of the personal  
12 representative;

13 (2) the full name and full residence address of the voter on whose  
14 behalf the personal representative is applying for an absentee ballot;

15 (3) a form of identification for the personal representative that meets  
16 the requirements for identification established by the director under AS 15.20.081(f)  
17 for absentee voting by mail; and

18 (4) a statement signed by the personal representative that the voter for  
19 whom the personal representative is applying for an absentee ballot will be unable to  
20 go to the polling place because of a disability.

21 (d) Upon receipt of a written application from a personal representative that  
22 meets the requirements of (c) of this section, the election official shall issue the  
23 absentee ballot and other absentee voting material to the personal representative.

24 (e) The personal representative shall deliver the absentee ballot and other  
25 absentee voting materials to the voter as soon as practicable. The voter shall proceed  
26 to mark the ballot in secret, to place the ballot in the secrecy sleeve, and to place the  
27 secrecy sleeve in the envelope provided. On the voter's certificate portion of the  
28 envelope, the voter shall state the name of the personal representative who applied for  
29 the absentee ballot, shall state that because of a disability the voter is unable to go to  
30 a polling place to vote, and shall sign the voter's certificate in the presence of the  
31 personal representative and provide a form of identification for the voter that meets the

1 requirements for identification established by the director under AS 15.20.081(f) for  
2 absentee voting by mail. The personal representative shall witness and date the  
3 signature of the voter. The voter shall mark the ballot, and complete and sign the  
4 voter's certificate, not later than election day. The voter shall return the absentee  
5 ballot to the personal representative who shall deliver the ballot to the election official  
6 who provided the ballot. The absentee ballot must be returned to the election official  
7 not later than 8:00 p.m. on election day.

8 (f) Notwithstanding (e) of this section, if a qualified voter's disability  
9 precludes the voter from performing any of the requirements of (e) of this section, the  
10 personal representative may perform those requirements on the voter's behalf.

11 (g) An election official shall keep a record of the name and signature of each  
12 personal representative requesting an absentee ballot and the name of the voter on  
13 whose behalf the ballot is requested. The election official shall record the date that  
14 the absentee ballot is provided and the date that the ballot is returned to the election  
15 official.

16 (h) The voter's employer, an agent of the voter's employer, or an officer or  
17 agent of the voter's union may not act as a personal representative for that voter.

18 \* Sec. 22. AS 15.20.081(d) is amended to read:

19 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of  
20 a notary public, commissioned officer of the armed forces including the National  
21 Guard, district judge or magistrate, United States postal official, registration official,  
22 or other person qualified to administer oaths, may proceed to mark the ballot in secret,  
23 to place the ballot in the secrecy sleeve [SMALL ENVELOPE], to place the secrecy  
24 sleeve [SMALL ENVELOPE] in the [LARGER] envelope provided, and to sign the  
25 voter's certificate on the [BACK OF THE LARGER] envelope in the presence of an  
26 official listed in this subsection who shall sign as attesting official and shall date the  
27 signature. If none of the officials listed in this subsection is reasonably accessible, an  
28 absentee voter shall sign the voter's certificate in the presence of two persons over the  
29 age of 18 years, who shall sign as witnesses and attest to the date on which the voter  
30 signed the certificate in their presence, and, in addition, the voter shall provide the  
31 certification prescribed in AS 09.63.020.

1 \* Sec. 23. AS 15.20.190(a) is amended to read:

2 (a) Thirty days before [PRIOR TO] the date of an election, the election  
3 supervisors shall appoint, in the same manner provided for the appointment of election  
4 judges prescribed in AS 15.10.150, district absentee ballot counting boards and district  
5 questioned ballot counting boards, each composed of at least four members. At least  
6 one member of each board must be a member of the same political party of which  
7 the governor is a member, and at least one member of each board must be a  
8 member of the political party whose candidate for governor received the second  
9 largest number of votes in the preceding gubernatorial election [. TWO FROM  
10 EACH POLITICAL PARTY]. The district boards shall assist the election supervisors  
11 in counting the absentee and questioned ballots and shall receive the same  
12 compensation paid election judges under AS 15.15.380.

13 \* Sec. 24. AS 15.20.201(b) is amended to read:

14 (b) Counting of absentee ballots that [WHICH] have been reviewed shall  
15 begin at 8:00 p.m., local time, on the day of the election at places designated by each  
16 election supervisor and shall continue until all absentee ballots reviewed and eligible  
17 for counting have been counted. The counting teams shall report the count of absentee  
18 ballots to the district absentee ballot counting board. An election supervisor or an  
19 election official may not count [REMOVE] absentee ballots [FROM THE SMALL,  
20 INNER ENVELOPES] before 8:00 p.m., local time, on the day of the election.  
21 Counting of the absentee ballots shall continue at times designated by the election  
22 supervisor until all absentee ballots are counted.

23 \* Sec. 25. AS 15.20.203(c) is amended to read:

24 (c) Any person present at the district absentee ballot counting review may  
25 challenge the name of an absentee voter when read from the voter's certificate on the  
26 [BACK OF THE LARGE] envelope if the person has good reason to suspect that the  
27 challenged voter is not qualified to vote, is disqualified, or has voted at the same  
28 election. The person making the challenge shall specify the basis of the challenge in  
29 writing. The district absentee ballot counting board by majority vote may refuse to  
30 accept and count the absentee ballot of a person properly challenged on grounds listed  
31 in (b) of this section.

*Amended  
for this  
Bill*

1 \* Sec. 26. AS 15.20.203(e) is amended to read:

2 (e) If an absentee ballot is not rejected, the [LARGE] envelope shall be opened  
3 and the secrecy sleeve [SMALL ENVELOPE] containing the absentee ballot shall be  
4 placed in a container and mixed with other secrecy sleeves [SMALL ENVELOPES].

5 \* Sec. 27. AS 15.20.203(f) is amended to read:

6 (f) The secrecy sleeves [SMALL ENVELOPES] shall be drawn from the  
7 container, the absentee ballots shall be removed from the secrecy sleeves  
8 [OPENED], and the absentee ballots counted at the times specified in AS 15.20.201  
9 and according to the rules for determining properly marked ballots in AS 15.15.360.

10 \* Sec. 28. AS 15.20.207(c) is amended to read:

11 (c) Any person present at the district questioned ballot review may challenge  
12 the name of a questioned voter when read from the voter's certificate on the [BACK  
13 OF THE LARGE] envelope if the person has good reason to suspect that the  
14 questioned voter is not qualified to vote, is disqualified, or has voted at the same  
15 election. The person making the challenge shall specify the basis of the challenge in  
16 writing. The district questioned ballot counting board by majority vote may refuse to  
17 accept and count the questioned ballot of a person properly challenged under grounds  
18 listed in (b) of this section.

19 \* Sec. 29. AS 15.20.207(e) is amended to read:

20 (e) If a questioned ballot is not rejected, the [LARGE] envelope shall be  
21 opened and the secrecy sleeve [SMALL ENVELOPE] containing the questioned ballot  
22 shall be placed in a container and mixed with other secrecy sleeves [SMALL  
23 ENVELOPES] containing questioned ballots.

24 \* Sec. 30. AS 15.20.207(f) is amended to read:

25 (f) The secrecy sleeves [SMALL ENVELOPES] shall be drawn from the  
26 container, the questioned ballots shall be removed from the secrecy sleeves  
27 [OPENED], and the questioned ballots counted at the times specified in AS 15.20.205  
28 and according to the rules for determining properly marked ballots in AS 15.15.360.

29 \* Sec. 31. AS 15.20.207(g) is amended to read:

30 (g) Upon completion of the questioned ballot review, the election supervisor  
31 shall prepare an election certificate for execution by the district questioned ballot

1 counting board, and shall forward the original certificate and returns to the director as  
2 soon as the count is completed but no later than the 11th [NINTH] day following the  
3 election.

4 \* Sec. 32. AS 15.20.620(c) is amended to read:

5 (c) As a security precaution, after the computer has been tested as prescribed  
6 in (b)(2) and (4) of this section,

7 (1) the vote-counting task shall remain isolated from nonrelated  
8 processing tasks;

9 (2) [PROCESSING NOT CONCERNED WITH VOTE COUNTING  
10 SHALL BE LIMITED TO TASKS WHICH ARE CRITICAL TO THE COMPUTER  
11 CENTER AND SHALL BE AGREED UPON IN ADVANCE BY THE MANAGER  
12 OF THE COMPUTER CENTER AND THE DIRECTOR;

13 (3)] reasonable computer security controls shall be in effect to assure  
14 the integrity of the vote-counting process; and

15 (3) [(4)] access to the computer counting area shall be controlled by the  
16 data processing review board until the vote-counting process is terminated.

17 \* Sec. 33. AS 15.20.620(f) is amended to read:

18 (f) At any time during the count, party representatives or members of the data  
19 processing review board may request a listing of the parameter coding that  
20 [PROGRAM SOURCE CODE WHICH] comprises the instructions to be executed by  
21 the computer.

22 \* Sec. 34. AS 15.20.640(a) is amended to read:

23 (a) Immediately after the polls have closed, the ballot box shall be opened by  
24 election board members in full view of all persons present, and all ballots shall be  
25 removed [FROM THE BALLOT ENVELOPES].

26 \* Sec. 35. AS 15.20.700(c) is amended to read:

27 (c) The backup documentation for each counting session [BALLOT IMAGE  
28 MAGNETIC TAPE WHICH CONTAINS AN EXACT IMAGE OF EACH COUNTED  
29 BALLOT] shall be retained in a secure manner by the election supervisor until the  
30 director determines that it is no longer needed.

31 \* Sec. 36. AS 15.20.740 is amended to read:

1           Sec. 15.20.740. QUESTIONED PUNCH-CARD BALLOTS. The procedure  
2 for reviewing and counting questioned punch-card ballots is the same procedure  
3 established in AS 15.20.205 and 15.20.207 for hand-marked ballots except that  
4 questioned punch-card ballots may be processed by the computer from the third  
5 through the 10th [EIGHTH] day following the election. The data processing review  
6 board shall supervise the count and shall follow the procedure established in  
7 AS 15.20.680 and 15.20.685.

8 • Sec. 37. AS 15.20.800(d) is amended to read:

9           (d) The voter may cast the ballot under AS 15.20.081(d) - (f)  
10 [AS 15.20.081(d) - (e)].

11 • Sec. 38. AS 15.58.060(a) is amended to read:

12           (a) Each general election candidate shall pay to the lieutenant governor at the  
13 time of filing material under this chapter the following:

14                   (1) President or Vice-President of the United States, United States  
15 senator, United States representative, governor, lieutenant governor, supreme court  
16 justice and court of appeals judge, \$300 [\$150] each;

17                   (2) superior court judge and district court judge, \$150 [\$75] each;

18                   (3) state senator and state representative, \$100 [\$50] each.

19 • Sec. 39. AS 15.58.060(b) is amended to read:

20           (b) The state chair [CHAIRMAN] or executive committee of a political party  
21 shall pay to the lieutenant governor at the time of filing material under this chapter  
22 \$600 [\$300] for each page purchased.

23 • Sec. 40. AS 15.05.040 and AS 15.07.170 are repealed.

24 • Sec. 41. PILOT PROGRAM FOR VOTING BY MAIL IN PRIMARY AND GENERAL  
25 ELECTIONS. (a) Notwithstanding AS 15.20.800(a), the director of elections may permit  
26 voting by mail for the 1996 primary and general elections in not more than 10 precincts that  
27 are located in a rural area of the state and that have no more than 200 registered voters.  
28 Voting by mail under this section is subject to the provisions of AS 15.20.800(b) - (e).

29           (b) The director of elections may not open a polling place in a precinct in which the  
30 director conducts an election by mail under this section. However, the director shall assure  
31 that in each precinct in which the director conducts an election by mail under this section at

1 least one absentee voting official is appointed. Along with each ballot that is mailed to a  
2 voter in a precinct under this section, the director shall include a notice giving the name of  
3 the absentee voting officials for the precinct and explaining that the voter may go to an  
4 absentee voting official for assistance in casting the ballot.

5 (c) Before implementing this section, the director of elections shall consult with the  
6 officials of a municipality, village, Native village, or other government or tribal entity to  
7 ascertain whether the municipality, village, Native village, or other government or tribal entity  
8 is interested in participating in the pilot program authorized by this section.

9 (d) The director may adopt regulations to implement and interpret this section.

10 • Sec. 42. This Act takes effect immediately under AS 01.10.070(c).

SB 182 - VOTER REGISTRATION

(Note open title - be aware that closed primary could fit under this heading.)

CS DRAFTED TO INCORPORATE SUGGESTED CHANGES BY DIVISION OF ELECTIONS. (VERSION "C" DATED 3/25/96)

ATTACHED AMENDMENTS OFFERED BY LEGAL SERVICES TO INCLUDE FEDERAL LANGUAGE RE: "APPEARS TO VOTE" AND A DEFINITION THEREOF. (NOT ADOPTED YET). *F* *4/10* *rolled in '10 'F'*

Makes changes to election laws to comply with US Justice Department to meet requirements of National Voter Registration Act of 1993 (NVRA) and changes to election laws as recommended by Lt. Gov's Election Policy Transition Team. Addresses: Voter registration, absentee voting, absentee voting by personal representative, and establishment of a pilot program for voting by mail in primary and general elections.

Also makes changes re: purge procedures to bring into compliance with NVRA.

Makes state law consistent w/fed. law re: validity of voter incentive programs.

Simplifies process of absentee voting by personal representative by voter w/disability.

Note Sec. 36 doubles fees paid by candidates/parties re: filing material for election pamphlet. (Not changed since 1980)

Sec. 38 repeals AS 15.05.040 (1960 law) to disqualify voter re: unsound mind. Also repeals 15.07.170 re: false statements.. Amendments to AS 15.07.060(a) replaces this section re: attestation re: true information.

Sec. 39= pilot test program for voting by mail in up to 10 small rural precincts.

Ann  
3/27/96

Re: SB 182 / HB 347

**LEGAL SERVICES**

**DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA**

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

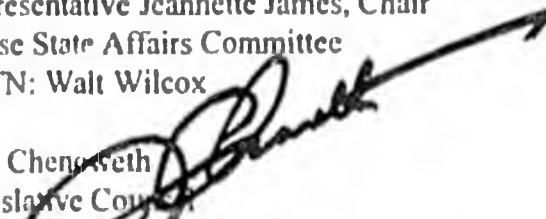
130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

MEMORANDUM

March 20, 1996

**SUBJECT:** Draft CSHB 349 (STA) (Work Order No. 9-LS0051\C)

**TO:** Representative Jeannette James, Chair  
House State Affairs Committee  
ATTN: Walt Wilcox

**FROM:** Jack Cheng with   
Legislative Council

The draft incorporates into the bill introduced additional material you furnished to me that had been prepared by the Department of Law.

Please note the following:

1. The material you furnished proposed repeal of AS 15.07.170 but does not take into account the effect of that repeal on AS 15.07.190. This draft addresses both statute sections.
2. In addition to the change requested in AS 15.07.130(b), I propose to amend the notice provision, AS 15.07.130(d), to make the notice track the requirement.
3. In my judgment, the committee would do well to find clear language to substitute for "appear[s] to vote" in the places where that phrase is inserted. I don't know what the department is intending when it makes reference to a voter who is to "appear to vote." By this language, is a voter being required to personally present him- or herself (that is, "appear personally") at a polling place in order to cast a vote? May that prospective voter not cast an absentee ballot? Suppose, in an election in which a voter is cautioned to "appear to vote," the voter's precinct is one in which the entire ballot is conducted by mail? Does the provision mean something other than "attempt to vote an election ballot" even if the ballot, for whatever reason, is not valid and consequently is not counted?

JBC:lmb  
96-065.lmb

A M E N D M E N T

OFFERED IN THE SENATE

TO: Draft CSSB 182( )

1 Page 4, line 3:

2 Delete "has not voted"

3 Insert "has neither [NOT] voted nor appeared to vote"

4 Page 4, line 12, following "vote":

5 Insert "or appear to vote"

6

7 Page 4, following line 14:

8 Insert a new bill section to read:

9 \*\* Sec. 8. AS 15.07.130(d) is amended to read:

10 (d) The notice described in (b) of this section must include a postage prepaid  
11 and pre-addressed return card on which the voter may state the voter's current address.

12 The notice must indicate

13 (1) that the voter should return the card not later than 30 days before  
14 the next primary election if the voter did not change residence;

15 (2) that the voter may vote only a questioned or absentee ballot if the  
16 voter does not return the card at least 30 days before the next primary election;

17 (3) that the voter's registration will be cancelled if the voter does not  
18 vote or appear to vote in an election held during the period beginning on the date  
19 of the notice and ending on the day after the date of the second general election that  
20 occurs after the date of notice; and

21 (4) how the voter can continue to be eligible to vote if the voter has  
22 changed residence."

23 Renumber the following bill sections accordingly.

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24 (e) For purposes of (b) and (d) of this section, a voter "appears to vote" if the

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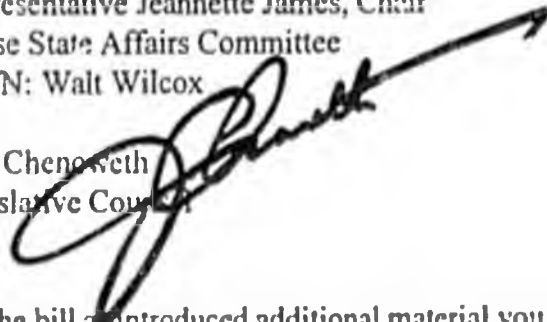
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ATTN: Walt Wilcox

**FROM:** Jack Chenoweth  
Legislative Council



The draft incorporates into the bill as introduced additional material you furnished to me that had been prepared by the Department of Law.

Please note the following:

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5 (2) applies to the division to obtain an absentee ballot."

6 Renumber the following bill sections accordingly.

CS FOR SENATE BILL NO. 182( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to elections, to the division of elections, and to voter  
2 registration procedures; and providing for an effective date."

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

4 \* Section 1. AS 15.07 050 is amended to read:

5 Sec. 15.07.050. MANNER OF REGISTRATION [IN PERSON OR BY  
6 MAIL]. Registration may be made

7 (1) in person before a registration official or through a voter registration  
8 agency;

9 (2) [, OR MAY BE MADE] by mail; or

10 (3) by facsimile transmission or another method of electronic  
11 transmission that the director approves.

12 \* Sec. 2. AS 15.07 060(a) is amended to read:

13 (a) Each applicant who requests registration or reregistration shall supply the  
14 following information [UNDER OATH]:

- 1 (1) name and sex;
- 2 (2) address and other necessary information establishing residence,  
3 including the term of residence in the state and in the district, if requested;
- 4 (3) whether the applicant has previously been registered to vote in  
5 another jurisdiction, and, if so, the jurisdiction and the address of the previous  
6 registration;
- 7 (4) a declaration that the registrant will be 18 years of age or older  
8 within 90 days of the date of registration;
- 9 (5) a declaration that the registrant is a citizen of the United States;
- 10 (6) date of application;
- 11 (7) signature or mark;
- 12 (8) any former name under which the applicant was registered to  
13 vote in the state;
- 14 (9) an attestation that the information provided by the applicant  
15 in (1) - (8) of this subsection is true; and
- 16 (10) a certification that the applicant understands that a false  
17 statement on the application may make the applicant subject to prosecution for  
18 a misdemeanor under this title or AS 11.

19 \* Sec. 3. AS 15.07.070(b) is amended to read:

20 (b) To register by mail or by facsimile or other electronic transmission  
21 approved by the director under AS 15.07.050, the director, the area election  
22 supervisor, or a voter registration agency shall furnish, at no cost to the voter, forms  
23 prepared by the director on which the registration information required under  
24 AS 15.07.060 shall be inserted by the voter, or by a person on behalf of the voter if  
25 the voter is physically incapacitated. The director may require proof of identification  
26 of the applicant as required by regulations adopted by the director under AS 44.62 (  
27 [THE] Administrative Procedure Act) [(AS 44.62)]. Upon receipt and approval of the  
28 completed registration forms the director or the election supervisor shall forward to the  
29 voter an acknowledgment in the form of a registration card, and the voter's name shall  
30 immediately be placed on the master register located in the office of the director and  
31 on the district register located in the office of the election supervisor. If the

1 registration is denied, the voter shall immediately be informed in writing that  
2 registration was denied and the reason for denial.

3 \* Sec. 4. AS 15.07.070(c) is amended to read:

4 (c) The names of persons submitting completed registration forms by mail that  
5 are postmarked at least 30 days before the next election, or submitting completed  
6 registration forms by facsimile or other electronic transmission approved by the  
7 director under AS 15.07.050 that are received at least 30 days before the next  
8 election, shall be placed on the official registration list for that election. If a  
9 registration form received by mail less than 30 days before an election does not have  
10 a legible and dated postmark, the name of the person submitting the form shall be  
11 placed on the official registration list for that election if the form was signed and dated  
12 by the person at least 30 days before the election and if the form is received by the  
13 director or election supervisor at least 25 days before the election. The name of a  
14 person submitting a completed registration form by mail or by facsimile or other  
15 electronic transmission that does not meet the applicable requirements of this  
16 subsection may not be placed on the official registration list for that election but shall  
17 be placed on the master register after that election.

18 \* Sec. 5. AS 15.07.070(f) is amended to read:

19 (f) Incomplete or inaccurate registration forms may not be accepted. A person  
20 who submitted an incomplete or inaccurate registration form may register by  
21 reexecuting and resubmitting a registration form in person, [OR] by mail, or by  
22 facsimile or other electronic transmission approved by the director under  
23 AS 15.07.050. The requirements of (c) or (d) of this section apply to a registration  
24 form resubmitted under this subsection.

25 \* Sec. 6. AS 15.07.070(h) is amended to read:

26 (h) The director shall design the form of the voter's certificate appearing on  
27 the [LARGE] envelope that is used for voting a questioned ballot so that all  
28 information required for registration by AS 15.07.060(a) may be obtained from a voter  
29 who votes a questioned ballot. If the voter voting a questioned ballot has completed  
30 all information on the voter registration portion of the questioned ballot voter's  
31 certificate, the director shall place the name of the voter on the official registration list.

1 \* Sec. 7. AS 15.07.130(b) is amended to read:

2 (b) When a registered voter has not indicated in writing a desire to remain  
3 registered within the preceding four [TWO] calendar years and has not voted in the  
4 last two general elections [A LOCAL, REGIONAL SCHOOL BOARD, PRIMARY,  
5 SPECIAL, OR GENERAL ELECTION AT LEAST ONCE IN TWO CONSECUTIVE  
6 CALENDAR YEARS], the voter shall be advised by a notice sent by forwardable mail  
7 to the voter's last known address that registration will be inactivated unless the voter  
8 responds to the notice at least 30 days before the date of the next primary election on  
9 a form furnished by the director. The director shall maintain on the master register the  
10 name of a voter whose registration is inactivated. The director shall cancel a voter's  
11 inactive registration after the second general election that occurs after the registration  
12 becomes inactive if the voter does not vote [EITHER A QUESTIONED BALLOT OR  
13 AN ABSENTEE BALLOT THAT IS COUNTED UNDER AS 15.15.198(b) AT OR  
14 BEFORE THAT ELECTION].

15 \* Sec. 8. AS 15.07.190 is amended to read:

16 Sec. 15.07.190. VIOLATIONS. A person who violates AS 15.07.180  
17 [AS 15.07.170 OR 15.07.180] is guilty of a misdemeanor and upon conviction is  
18 punishable by imprisonment for not more than one year, or by a fine of not more than  
19 \$1,000, or by both.

20 \* Sec. 9. AS 15.10.110 is amended to read:

21 Sec. 15.10.110. APPOINTMENT OF ELECTION SUPERVISORS. The  
22 director shall appoint election supervisors, including one in each of the municipalities  
23 of Juneau, Anchorage, Fairbanks, and Nome, to assist in the administration of elections  
24 in the election districts designated by the director. The director may appoint as an  
25 election supervisor a person who is a qualified voter in the area over which the person  
26 has jurisdiction and who meets the applicable requirements of AS 15.10.105(b)  
27 [DOES NOT HOLD AN OFFICE IN A POLITICAL PARTY]. An election supervisor  
28 is entitled to receive compensation in an amount that is comparable to that received  
29 for similar state employment as determined by the director.

30 \* Sec. 10. AS 15.15.030(5) is amended to read:

31 (5) The state general election ballot shall be printed on white paper

1 with the names of the candidates and their party designations placed in separate  
2 sections under the office designation to which they were nominated. The party  
3 affiliation, if any, shall be designated after the name of the candidate. The lieutenant  
4 governor and the governor shall be included under the same section. Provision shall  
5 be made for voting for write-in and no-party candidates within each section. [THE  
6 SQUARES APPEARING ON THE BALLOTS SHALL MEASURE 1/4 INCH ON  
7 EACH SIDE.]

8 \* Sec. 11. AS 15.15.140(a) is amended to read:

9 (a) If the election board receives an insufficient number of official [PAPER  
10 BALLOTS, OFFICIAL PUNCH-CARD] ballots [,] or official election materials, it  
11 shall provide and the voters may use unmarked substitute ballots or other election  
12 materials to indicate the intent of the voter.

13 \* Sec. 12. AS 15.15.198(b) is amended to read:

14 (b) A person whose registration is inactive under AS 15.07.130(b) and who  
15 votes a questioned or absentee ballot shall have the ballot counted if

16 (1) the person was registered to vote for either of the two most recent  
17 general elections;

18 (2) the person signs [UNDER OATH] a statement to that effect; and

19 (3) the earlier registration is verified by the director.

20 \* Sec. 13. AS 15.15.210 is amended to read:

21 Sec. 15.15.210. QUESTIONING OF VOTERS OF SUSPECT  
22 QUALIFICATION. Every election judge and election clerk shall question, and every  
23 watcher and any other person qualified to vote in the precinct may question a person  
24 attempting to vote if the questioner has good reason to suspect that the questioned  
25 person is not qualified to vote. All questions regarding a person's qualifications to  
26 vote shall be made in writing setting out the reason the person has been questioned.  
27 A questioned person before voting shall subscribe to a declaration [AN OATH OR  
28 AFFIRMATION] in a form provided by the director attesting to the fact that in each  
29 particular the person meets all the qualifications of a voter, is not disqualified, and has  
30 not voted at the same election, and certifying that the person understands that a  
31 false statement on the declaration may subject the person to prosecution for a

1 misdemeanor under this title or AS 11. The questioned person shall also state the  
2 place from which that person came immediately before living in the precinct where  
3 offering to vote and the length of time of residence in the former place. After the  
4 questioned person has executed the declaration [OATH OR AFFIRMATION], the  
5 person may vote. If the questioned person refuses to execute the declaration [OATH  
6 OR AFFIRMATION], the person may not vote.

7 \* Sec. 14. AS 15.15.215(a) is amended to read:

8 (a) A voter who casts a questioned ballot shall vote the ballot in the same  
9 manner as prescribed for other voters. The [AFTER THE ELECTION JUDGE  
10 REMOVES THE NUMBERED STUB FROM THE BALLOT, THE] voter shall insert  
11 the ballot into a secrecy sleeve, the election judge shall remove the numbered stub  
12 from the ballot, and the voter shall [SMALL ENVELOPE AND] put the secrecy  
13 sleeve [SMALL ENVELOPE] into an [A LARGER] envelope on which the statement  
14 the voter previously signed is located. The envelope [THESE LARGER  
15 ENVELOPES] shall be sealed and deposited in the ballot box. When the ballot box  
16 is opened, the [THESE] envelopes shall be segregated, counted, compared to the  
17 voting list, and delivered to the official or body supervising the election. The merits  
18 of the question shall be determined by this official or body in accordance with the  
19 procedure prescribed for questioned votes in AS 15.20.207.

20 \* Sec. 15. AS 15.15.440 is amended to read:

21 Sec. 15.15.440. DATES FOR OPENING AND CLOSING STATE BALLOT  
22 COUNTING REVIEW. The state ballot counting review shall begin no earlier  
23 [LATER] than 11 days after an [THE] election and no later than 16 days after an  
24 election, and shall be continued [DAILY] until completed. The director may designate  
25 the hours each day during which the state ballot counting review board is to conduct  
26 its ballot counting review. The director shall close the review when the director is  
27 satisfied that no missing precinct certificate of election would, if received, change the  
28 result of the election. If no election certificate has been received from a precinct, the  
29 director may secure from the election supervisors and may count a certified copy of  
30 the duplicate election certificate of the precinct. If no election materials have been  
31 received, but election results have been received by telephone, telegram or radio, the

1 director shall count the election results so received. If the director has reason to  
2 believe that a missing precinct certificate, if received, would affect the result of the  
3 election, the director shall await the receipt of the certificate until the close of business  
4 on the 15th day after the date of election. A certificate not actually delivered to the  
5 director by the close of business on the 15th day after the election may not be counted  
6 at the state ballot counting review.

7 • Sec. 16. AS 15.20.010 is repealed and reenacted to read:

8 Sec. 15.20.010. PERSONS WHO MAY VOTE ABSENTEE. At any election  
9 a qualified voter may vote an absentee ballot for any reason.

10 • Sec. 17. AS 15.20.030 is amended to read:

11 Sec. 15.20.030. PREPARATION OF BALLOTS, ENVELOPES, AND OTHER  
12 MATERIAL. The director shall provide ballots for use as absentee ballots in all  
13 districts. The director shall provide a secrecy sleeve [SMALL ENVELOPE] in which  
14 the voter shall initially place the marked ballot, and shall provide an [A LARGER]  
15 envelope [.] with the prescribed voter's certificate on it [THE BACK], in which the  
16 secrecy sleeve [SMALL ENVELOPE] with ballot enclosed shall be placed. The  
17 director shall prescribe the form of and prepare the voter's certificate, envelopes, and  
18 other material used in absentee voting. The voter's certificate shall include an oath,  
19 for use when required, that the voter is a qualified voter in all respects, a blank for the  
20 voter's signature, a certification that the affiant properly executed the marking of the  
21 ballot and gave the voter's identity, blanks for the attesting official or witnesses, and  
22 a place for recording the date the envelope was sealed and witnessed.

23 • Sec. 18. AS 15.20.061(c) is amended to read:

24 (c) On receipt of an absentee ballot in person, the voter shall proceed to mark  
25 the ballot in secret, to place the ballot in the secrecy sleeve [SMALL ENVELOPE],  
26 to place the secrecy sleeve [SMALL ENVELOPE] in the [LARGER] envelope  
27 provided, and to sign the voter's certificate on the [BACK OF THE LARGER]  
28 envelope in the presence of the election official who shall sign as attesting official and  
29 date that signature. The election official shall then accept the ballot.

30 • Sec. 19. AS 15.20.071 is repealed and reenacted to read:

31 Sec. 15.20.071. ABSENTEE VOTING BY PERSONAL REPRESENTATIVE.

1 (a) A qualified voter with a disability who, because of that disability, is unable to go  
2 to a polling place to vote may vote an absentee ballot through a personal  
3 representative.

4 (b) A personal representative may apply in writing to the following election  
5 officials, at the times specified, for an absentee ballot on behalf of a voter who is  
6 eligible under (a) of this section:

7 (1) to an absentee voting official on or after the 15th day before an  
8 election up to and including the day of the election;

9 (2) to an election supervisor

10 (A) after a date announced by the director under  
11 AS 15.20.048(b); and

12 (B) on or after the 15th day before an election up to and  
13 including the day of the election;

14 (3) to an absentee voting official at an absentee voting station  
15 designated under AS 15.20.045(b) at a time when the absentee voting station is in  
16 operation;

17 (4) to a member of a precinct election board on election day.

18 (c) The application by the personal representative shall be signed by the  
19 personal representative and must include the following:

20 (1) the full name and full residence address of the personal  
21 representative;

22 (2) the full name and full residence address of the voter on whose  
23 behalf the personal representative is applying for an absentee ballot;

24 (3) a form of identification for the personal representative that meets  
25 the requirements for identification established by the director under AS 15.20.081(f)  
26 for absentee voting by mail; and

27 (4) a statement signed by the personal representative that the voter for  
28 whom the personal representative is applying for an absentee ballot will be unable to  
29 go to the polling place because of a disability.

30 (d) Upon receipt of a written application from a personal representative that  
31 meets the requirements of (c) of this section, the election official shall issue the

1 absentee ballot and other absentee voting material to the personal representative.

2 (e) The personal representative shall deliver the absentee ballot and other  
3 absentee voting materials to the voter as soon as practicable. The voter shall proceed  
4 to mark the ballot in secret, to place the ballot in the secrecy sleeve, and to place the  
5 secrecy sleeve in the envelope provided. On the voter's certificate portion of the  
6 envelope, the voter shall state the name of the personal representative who applied for  
7 the absentee ballot, shall state that because of a disability the voter is unable to go to  
8 a polling place to vote, and shall sign the voter's certificate in the presence of the  
9 personal representative and provide a form of identification for the voter that meets the  
10 requirements for identification established by the director under AS 15.20.081(f) for  
11 absentee voting by mail. The personal representative shall witness and date the  
12 signature of the voter. The voter shall mark the ballot, and complete and sign the  
13 voter's certificate, not later than election day. The voter shall return the absentee  
14 ballot to the personal representative who shall deliver the ballot to the election official  
15 who provided the ballot. The absentee ballot must be returned to the election official  
16 not later than 8:00 p.m. on election day.

17 (f) Notwithstanding (e) of this section, if a qualified voter's disability  
18 precludes the voter from performing any of the requirements of (e) of this section, the  
19 personal representative may perform those requirements on the voter's behalf.

20 (g) An election official shall keep a record of the name and signature of each  
21 personal representative requesting an absentee ballot and the name of the voter on  
22 whose behalf the ballot is requested. The election official shall record the date that  
23 the absentee ballot is provided and the date that the ballot is returned to the election  
24 official.

25 (h) The voter's employer, an agent of the voter's employer, or an officer or  
26 agent of the voter's union may not act as a personal representative for that voter.

27 • Sec. 20. AS 15.20.081(d) is amended to read:

28 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of  
29 a notary public, commissioned officer of the armed forces including the National  
30 Guard, district judge or magistrate, United States postal official, registration official,  
31 or other person qualified to administer oaths, may proceed to mark the ballot in secret.

1 to place the ballot in the secrecy sleeve [SMALL ENVELOPE], to place the secrecy  
2 sleeve [SMALL ENVELOPE] in the [LARGER] envelope provided, and to sign the  
3 voter's certificate on the [BACK OF THE LARGER] envelope in the presence of an  
4 official listed in this subsection who shall sign as attesting official and shall date the  
5 signature. If none of the officials listed in this subsection is reasonably accessible, an  
6 absentee voter shall sign the voter's certificate in the presence of two persons over the  
7 age of 18 years, who shall sign as witnesses and attest to the date on which the voter  
8 signed the certificate in their presence, and, in addition, the voter shall provide the  
9 certification prescribed in AS 09.63.020.

10 \* Sec. 21. AS 15.20.190(a) is amended to read:

11 (a) Thirty days before [PRIOR TO] the date of an election, the election  
12 supervisors shall appoint, in the same manner provided for the appointment of election  
13 judges prescribed in AS 15.10.150, district absentee ballot counting boards and district  
14 questioned ballot counting boards, each composed of at least four members. At least  
15 one member of each board must be a member of the same political party of which  
16 the governor is a member, and at least one member of each board must be a  
17 member of the political party whose candidate for governor received the second  
18 largest number of votes in the preceding gubernatorial election [. TWO FROM  
19 EACH POLITICAL PARTY]. The district boards shall assist the election supervisors  
20 in counting the absentee and questioned ballots and shall receive the same  
21 compensation paid election judges under AS 15.15.380.

22 \* Sec. 22. AS 15.20.201(b) is amended to read:

23 (b) Counting of absentee ballots that [WHICH] have been reviewed shall  
24 begin at 8:00 p.m., local time, on the day of the election at places designated by each  
25 election supervisor and shall continue until all absentee ballots reviewed and eligible  
26 for counting have been counted. The counting teams shall report the count of absentee  
27 ballots to the district absentee ballot counting board. An election supervisor or an  
28 election official may not count [REMOVE] absentee ballots [FROM THE SMALL,  
29 INNER ENVELOPES] before 8:00 p.m., local time, on the day of the election.  
30 Counting of the absentee ballots shall continue at times designated by the election  
31 supervisor until all absentee ballots are counted.

1 \* Sec. 23. AS 15.20.203(c) is amended to read:

2 (c) Any person present at the district absentee ballot counting review may  
3 challenge the name of an absentee voter when read from the voter's certificate on the  
4 [BACK OF THE LARGE] envelope if the person has good reason to suspect that the  
5 challenged voter is not qualified to vote, is disqualified, or has voted at the same  
6 election. The person making the challenge shall specify the basis of the challenge in  
7 writing. The district absentee ballot counting board by majority vote may refuse to  
8 accept and count the absentee ballot of a person properly challenged on grounds listed  
9 in (b) of this section.

10 \* Sec. 24. AS 15.20.203(e) is amended to read:

11 (e) If an absentee ballot is not rejected, the [LARGE] envelope shall be opened  
12 and the secrecy sleeve [SMALL ENVELOPE] containing the absentee ballot shall be  
13 placed in a container and mixed with other secrecy sleeves [SMALL ENVELOPES].

14 \* Sec. 25. AS 15.20.203(f) is amended to read:

15 (f) The secrecy sleeves [SMALL ENVELOPES] shall be drawn from the  
16 container, the absentee ballots shall be removed from the secrecy sleeves  
17 [OPENED], and the absentee ballots counted at the times specified in AS 15.20.201  
18 and according to the rules for determining properly marked ballots in AS 15.15.360.

19 \* Sec. 26. AS 15.20.207(c) is amended to read:

20 (c) Any person present at the district questioned ballot review may challenge  
21 the name of a questioned voter when read from the voter's certificate on the [BACK  
22 OF THE LARGE] envelope if the person has good reason to suspect that the  
23 questioned voter is not qualified to vote, is disqualified, or has voted at the same  
24 election. The person making the challenge shall specify the basis of the challenge in  
25 writing. The district questioned ballot counting board by majority vote may refuse to  
26 accept and count the questioned ballot of a person properly challenged under grounds  
27 listed in (b) of this section.

28 \* Sec. 27. AS 15.20.207(e) is amended to read:

29 (e) If a questioned ballot is not rejected, the [LARGE] envelope shall be  
30 opened and the secrecy sleeve [SMALL ENVELOPE] containing the questioned ballot  
31 shall be placed in a container and mixed with other secrecy sleeves [SMALL

1 ENVELOPES] containing questioned ballots.

2 \* Sec. 28. AS 15.20.207(f) is amended to read:

3 (f) The secrecy sleeves [SMALL ENVELOPES] shall be drawn from the  
4 container, the questioned ballots shall be removed from the secrecy sleeves  
5 [OPENED], and the questioned ballots counted at the times specified in AS 15.20.205  
6 and according to the rules for determining properly marked ballots in AS 15.15.360.

7 \* Sec. 29. AS 15.20.207(g) is amended to read:

8 (g) Upon completion of the questioned ballot review, the election supervisor  
9 shall prepare an election certificate for execution by the district questioned ballot  
10 counting board, and shall forward the original certificate and returns to the director as  
11 soon as the count is completed but no later than the 11th [NINTH] day following the  
12 election.

13 \* Sec. 30. AS 15.20.620(c) is amended to read:

14 (c) As a security precaution, after the computer has been tested as prescribed  
15 in (b)(2) and (4) of this section,

16 (1) the vote-counting task shall remain isolated from nonrelated  
17 processing tasks;

18 (2) [PROCESSING NOT CONCERNED WITH VOTE COUNTING  
19 SHALL BE LIMITED TO TASKS WHICH ARE CRITICAL TO THE COMPUTER  
20 CENTER AND SHALL BE AGREED UPON IN ADVANCE BY THE MANAGER  
21 OF THE COMPUTER CENTER AND THE DIRECTOR;

22 (3)] reasonable computer security controls shall be in effect to assure  
23 the integrity of the vote-counting process; and

24 (3) [(4)] access to the computer counting area shall be controlled by the  
25 data processing review board until the vote-counting process is terminated.

26 \* Sec. 31. AS 15.20.620(f) is amended to read:

27 (f) At any time during the count, party representatives or members of the data  
28 processing review board may request a listing of the parameter coding that  
29 [PROGRAM SOURCE CODE WHICH] comprises the instructions to be executed by  
30 the computer.

31 \* Sec. 32. AS 15.20.640(a) is amended to read:

1 (a) Immediately after the polls have closed, the ballot box shall be opened by  
2 election board members in full view of all persons present, and all ballots shall be  
3 removed [FROM THE BALLOT ENVELOPES].

4 \* Sec. 33. AS 15.20.700(c) is amended to read:

5 (c) The backup documentation for each counting session [BALLOT IMAGE  
6 MAGNETIC TAPE WHICH CONTAINS AN EXACT IMAGE OF EACH COUNTED  
7 BALLOT] shall be retained in a secure manner by the election supervisor until the  
8 director determines that it is no longer needed.

9 \* Sec. 34. AS 15.20.740 is amended to read:

10 Sec. 15.20.740. QUESTIONED PUNCH-CARD BALLOTS. The procedure  
11 for reviewing and counting questioned punch-card ballots is the same procedure  
12 established in AS 15.20.205 and 15.20.207 for hand-marked ballots except that  
13 questioned punch-card ballots may be processed by the computer from the third  
14 through the 10th [EIGHTH] day following the election. The data processing review  
15 board shall supervise the count and shall follow the procedure established in  
16 AS 15.20.680 and 15.20.685.

17 \* Sec. 35. AS 15.20.800(d) is amended to read:

18 (d) The voter may cast the ballot under AS 15.20.081(d) - (f)  
19 [AS 15.20.081(d) - (e)].

20 \* Sec. 36. AS 15.58.060(a) is amended to read:

21 (a) Each general election candidate shall pay to the lieutenant governor at the  
22 time of filing material under this chapter the following:

23 (1) President or Vice-President of the United States, United States  
24 senator, United States representative, governor, lieutenant governor, supreme court  
25 justice and court of appeals judge, \$300 [\$150] each;

26 (2) superior court judge and district court judge, \$150 [\$75] each;

27 (3) state senator and state representative, \$100 [\$50] each.

28 \* Sec. 37. AS 15.58.060(b) is amended to read:

29 (b) The state chair [CHAIRMAN] or executive committee of a political party  
30 shall pay to the lieutenant governor at the time of filing material under this chapter  
31 \$600 [\$300] for each page purchased.

1 \* Sec. 38. AS 15.05.040 and AS 15.07.170 are repealed.

2 \* Sec. 39. PILOT PROGRAM FOR VOTING BY MAIL IN PRIMARY AND GENERAL  
3 ELECTIONS. (a) Notwithstanding AS 15.20.800(a), the director of elections may permit  
4 voting by mail for the 1996 primary and general elections in not more than 10 precincts that  
5 are located in a rural area of the state and that have no more than 200 registered voters.  
6 Voting by mail under this section is subject to the provisions of AS 15.20.800(b) - (c).

7 (b) The director of elections may not open a polling place in a precinct in which the  
8 director conducts an election by mail under this section. However, the director shall assure  
9 that in each precinct in which the director conducts an election by mail under this section at  
10 least one absentee voting official is appointed. Along with each ballot that is mailed to a  
11 voter in a precinct under this section, the director shall include a notice giving the name of  
12 the absentee voting officials for the precinct and explaining that the voter may go to an  
13 absentee voting official for assistance in casting the ballot.

14 (c) Before implementing this section, the director of elections shall consult with the  
15 officials of a municipality, village, Native village, or other government or tribal entity to  
16 ascertain whether the municipality, village, Native village, or other government or tribal entity  
17 is interested in participating in the pilot program authorized by this section.

18 (d) The director may adopt regulations to implement and interpret this section.

19 \* Sec. 40. This Act takes effect immediately under AS 01.10.070(c).

### SPONSOR STATEMENT FROM DIV. OF ELECTIONS ON SB 182

The proposed legislation addresses two important issues:

- **The need to adjust current state Elections Law to assure preclearance by the US Justice Department and to make further adjustments to meet the requirements of the National Voter Registration Act of 1993 (NVRA).**

The US Justice department's preclearance of the state's response to the NVRA is required and the Department has expressed concern in certain areas with prior legislation. The proposed legislation addresses those areas of concern. Specifically:

The perception that Alaska "purges" a voter too early. Section 7 of the proposed CS for HB 349/ SB 182 assures there is no change in voter status before the time set out in federal law for purging.

The perception that a voter must vote a counted ballot to avoid removal from the rolls. Section 7 amends current law to include "appears to vote." Current law suggests that a vote actually must be counted. This result is not allowed by the NVRA, which instead uses the "appears to vote" language. (We have suggested additional explanatory language to Legislative Legal Counsel Jack Chenoweth to indicate what "appears to vote" intends.)

The requirement for an oath on registration materials. Section 2 allows a person to attest to the truth of the information provided on registration materials, and to certify understanding of the penalty for false statements. Section 12 allows a similar declaration of voter qualification instead of requiring an oath from voter's voting a questioned ballot.

[Assistant Attorney General Kathleen Strasbaugh will try to be available to answer committee member's questions on the NVRA issues.]

- **The following recommendations by the many citizens and state and municipal elections officials participating in the Election Policy Transition Team.**

Expand voter registration opportunities. Section 1, Section 3, Section 5 allow registration, correction or updating of registration materials by increasingly available electronic methods, including FAX and the internet process.

Increase public trust in the election process. Section 10 clarifies the requirements for the Election Supervisors' conduct.

Correct statute language to reflect modern election practice. Several sections are "housekeeping" sections which better describe modern ballots, the protection of ballot secrecy, current ballot tabulation, and computer processing in elections.

Simplify the personal representative's role in helping an elderly or disabled person to vote. Section 20 reduces the number of trips that a personal representative must make to assist a voter.

Allow a pilot project for total by-mail elections where feasible. Section 40 allows this recommendation. The division would further recommend elimination of line 21 so that the project is NOT limited to rural areas having less than 200 voters, at least in the initial test program.

[Div. of Elections Diane Shriner will be available to answer committee members questions on the proposed legislation.]

Thank you very much for your consideration of this proposed legislation.

STATE OF ALASKA

**OFFICE OF THE GOVERNOR**

Division of Elections  
P.O. Box 110017  
Juneau, Alaska 99811-0017  
PHONE (907) 465-4611

February 5, 1996

The Honorable Bert M. Sharp  
Senate State Affairs Committee  
State Capitol, Room 514  
Juneau, Alaska 99811

RE: Senate Bill 182, relating to elections administration and voter registration

Dear Senator Sharp:

SB 182 (and its companion bill HB 349) were introduced to make changes in the elections laws as recommended to the Election Policy Transition Team by Alaskan citizens. Among the important subjects addressed by this bill are voter registration, absentee voting, absentee voting by personal representative, and establishment of a pilot program for voting by mail in primary and general elections.


The bill also addresses concerns expressed by the United States Department of Justice regarding Alaska's compliance with the National Voter Registration Act of 1993 (NVRA), the so called "motor-voter" Act. SB 182 will eliminate the present requirement for an oath in voter registration and other specific voting procedures. Another important section would bring our purge procedures into compliance with those set forth in the NVRA.

Finally, SB 182 recommends changes to the Corrupt Practices Act making state law consistent with federal law concerning the validity of voter incentive programs. The provisions of SB 182 will help assure citizens vote as a means of participation in our democratic form of government, not because they will receive a direct pecuniary benefit.

The Honorable Bert M. Sharp  
February 5, 1996  
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SB 182 is the product of extensive citizen and division review. I believe that it is a fair and needed response to the issue of improving both the perception and actual functioning of the electoral process. I ask that you and your committee give it your prompt attention. Thank you for your consideration.

Sincerely,



Sandra J Stout, Director  
Division of Elections

TONY KNOWLES  
GOVERNOR



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STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

May 12, 1995

The Honorable Drue Pearce  
President of the Senate  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear President Pearce:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that implements most of the proposals contained in my Administration's Election Policy Transition Team Report that require changes to existing law. In addition, the bill makes some changes to state law that are required by federal statutes and makes a number of "housekeeping" amendments that the division of elections has recommended.

It is apparent that the state needs to adjust elections policies and procedures in an effort to boost public confidence that Alaska elections are conducted fairly and efficiently. One of Lieutenant Governor Ulmer's first acts was to appoint a panel of respected Alaskans (the Election Policy Transition Team), most of whom have expertise in the area of elections, to look into state elections policies and to make recommendations for change. In deciding whether a change is warranted, the transition team was requested to ask the following questions about the change:

- Does it increase public trust?
- Does it provide better service to the public?
- Does it encourage participation in the electoral process?
- **Does it reduce state spending?**

On March 20, 1995, the lieutenant governor released the report of the panel to the public. The report is a thorough and thoughtful document, and contains many excellent suggestions for improving elections policy. Several important recommendations were

The Honorable Drue Pearce  
May 12, 1995  
Page 2

included in SB 5, which recently passed the legislature. I am pleased to be able to transmit this bill, which implements the rest of those suggestions.

Section 13 of the bill simplifies the process of absentee voting by personal representative for a voter with a disability, a process that is currently very burdensome for both the voter and the personal representative and that discourages this sort of absentee voting. A personal representative now must make several trips between the voter and election officials in order for a voter with a disability to use this method of voting. Section 13 would streamline the procedure, allowing the personal representative to accomplish in a single round trip all of the steps necessary to allow a voter with a disability to vote.

In addition, ~~sec. 13 of the bill~~ makes several changes required by federal law. It removes the current prohibition on a candidate acting as a personal representative, and it adds a provision prohibiting a voter's employer, an agent of the employer, or an officer or agent of the voter's union, from acting as the voter's personal representative. It also removes the current requirement that a voter's ballot application under this section be accompanied by a letter or statement regarding the voter's disability from a physician or from two qualified voters. Instead, the voter's personal representative will supply a statement regarding the voter's disability.

Sections 30 and 31 of the bill double the fees that must be paid by candidates and parties filing material for inclusion in the official election pamphlet. These fees have not been changed since 1980. Even with the doubled fees, the cost of producing the pamphlet will be approximately 10 times the amount collected in fees.

Section 32 repeals a provision (AS 13.05.040), enacted in 1960 and not changed since, regarding voter disqualification for unsound mind. That provision is inconsistent with the federal Americans with Disabilities Act and with state statutes on guardianship.

Section 33 of the bill authorizes a pilot program for voting by mail, in the 1996 primary and general elections, in small rural precincts (those with no more than 200 registered voters). Under current law, the elections director may conduct an election by mail only if the election is held at a time other than when a primary, general, or municipal election is held. Based on the experience of other states that have used mail balloting, the transition team believes that allowing voting by mail in rural precincts will increase turnout, save money, and eliminate operational problems. Section 33 of the bill authorizes the director, to conduct this voluntary pilot program in the 1996 primary and general elections in no more than 10 precincts, to test the application of this program in Alaska.

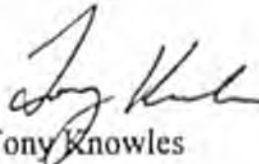
The Honorable Drue Pearce  
May 12, 1995  
Page 3

The remaining sections of the bill, except for the effective date section, were recommended by the division of elections either to conform the elections statutes to current practices or to enable the division to conduct elections more efficiently and effectively.

Representatives of my Administration will be available as the bill makes its way through the legislative process to explain what the provisions of this bill would accomplish, how they change existing law, and why the changes are necessary.

I would appreciate your assistance in facilitating the consideration and passage of this bill.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tony Knowles".

Tony Knowles  
Governor

EFFECT OF AMENDMENTS TO PERSONAL REPRESENTATIVE VOTING PROCEDURES.  
UNDER CURRENT STATUTES

UNDER PROPOSAL

TRIP 1

Representative comes to Division of Election/Absentee Official or precinct to pick up application for voter.

TRIP 2

Representative delivers application to voter.

TRIP 3

Representative delivers voter's completed application to Division of Elections and picks up voter's ballot packet.

TRIP 4

Representative delivers voter's ballot packet to voter. Assists voter in voting and witnesses voters ballot affidavit.

TRIP 5

Representative returns voted ballots in secrecy sleeve, sealed in affidavit envelope to Division of Elections, Absentee Official or precinct where issued.

THE BILL DOES:

1. Reduce 1 of round trips for rep.
2. Require application and show of ID by representative.
3. Require record and accountability for ballots issued, to whom and for whom.
4. Requires record of date ballot issued and returned.
5. Require review of ballot by District Absentee Review Board to determine eligibility of voter.
6. Eliminates requirement of "proof" of voter disability by physician's certificate outlawed under new Federal J

TRIP 1

Representative comes to Division of Elections/Absentee Official/precinct:

- a) Shows ID and fills out application to serve as a personal representative for specific disabled voter(s).
- b) Picks up application and ballots for specific voter.

TRIP 2

Representative delivers voter's application and ballot packet to the voter. Assists the voter in voting and witnesses ballot affidavit.

TRIP 3

Representative returns voted ballots in secrecy sleeve, and sealed in affidavit envelope to Division of Elections, Absentee Official or precinct where issued.

THE BILL DOES NOT:

1. Eliminate application process.
2. Eliminate record and accountability for ballots issued.
3. Eliminate record of date ballot issued and returned.
4. Eliminate full review by District Absentee Board to determine eligibility of voter.

**Sec. 15.20.071. Absentee voting by personal representative.** (a) A qualified voter who is physically disabled may apply for an absentee ballot through a personal representative to the following election officials at the times specified:

(1) to an absentee voting official in the election district in which the voter resides on or after the 15th day before an election up to and including the day of the election;

(2) to an election supervisor

(A) after a date announced by the director under AS 15.20.048(b); and

(B) on or after the 15th day before an election up to and including the date of the election;

(3) to an absentee voting official at an absentee voting station designated under AS 15.20.045(b) at a time when the absentee voting station is operating;

(4) to the election board chairman or the chairman's designee on election day in the precinct in which the voter is entitled to vote except that the voter may not apply to the election board chairman in an area in which absentee voting officials have been designated.

(b) Upon receipt of a written application by personal representative, the election official authorized to issue the absentee ballot shall provide the ballot and other absentee voting material to the personal representative if the written application is signed by the applicant and is accompanied by a letter from a licensed physician or a statement signed by two qualified voters stating that the applicant will be unable to go to the polling place because of physical disability.

(c) The personal representative shall deliver the absentee ballot to the voter as soon as practicable. Upon receipt of an absentee ballot through a personal representative, the voter shall proceed to mark the ballot in secret, to place the ballot in the small envelope, to place the small envelope in the larger envelope, and to sign the voter's certificate on the envelope in the presence of the personal representative who shall witness and date the signature of the voter. The voter must mark the ballot and sign the voter's certification not later than election day. The voter shall then return the absentee ballot to the personal representative who shall deliver the ballot to the election official who provided the ballot. The absentee ballot must be returned to the election official not later than 8:00 p.m. on election day.

(d) Each election official shall keep a record of the name and signature of each personal representative requesting an absentee ballot and the name of the person on whose behalf the ballot is requested. The election official shall record the date the absentee ballot is provided and the date the ballot is returned to the election official.

(e) A candidate for office at that election may not act as a personal representative.  
(Sec. 87 ch 100 SLA 1980, am sec. 8 ch 85 SLA 1986, am sec. 7 ch 67 SLA 1989)

A M E N D M E N T

OFFERED IN THE SENATE

TO: DRAFT CSSB 182( )

1 Page 4, line 3:

2 Delete "has not voted"

3 Insert "has neither [NOT] voted nor appeared to vote"

4 Page 4, line 12, following "vote":

5 Insert "or appear to vote"

6  
7 Page 4, following line 14:

8 Insert new bill sections to read:

9 \*\* Sec. 8. AS 15.07.130(d) is amended to read:

10 (d) The notice described in (b) of this section must include a postage prepaid  
11 and pre-addressed return card on which the voter may state the voter's current  
12 address. The notice must indicate

13 (1) that the voter should return the card not later than 30 days before  
14 the next primary election if the voter did not change residence;

15 (2) that the voter may vote only a questioned or absentee ballot if the  
16 voter does not return the card at least 30 days before the next primary election;

17 (3) that the voter's registration will be cancelled if the voter does not  
18 vote or appear to vote in an election held during the period beginning on the date  
19 of the notice and ending on the day after the date of the second general election that  
20 occurs after the date of notice; and

21 (4) how the voter can continue to be eligible to vote if the voter has  
22 changed residence.

23 \* Sec. 9. AS 15.07.130 is amended by adding a new subsection to read:

24 (e) For purposes of (b) and (d) of this section, a voter "appears to vote" if the

1 voter

2 (1) is present at a polling place or at an absentee voting station at a  
3 time when the polling place or absentee voting station is operating, for the purpose  
4 of casting a vote;

5 (2) applies to the division to obtain an absentee ballot; or

6 (3) applies for, completes, and returns to the division an election ballot  
7 in an election that is conducted by mail under AS 15.20.800."

8 Renumber the following bill sections accordingly.

**FRAN ULMER**  
LIEUTENANT GOVERNOR  
STATE OF ALASKA

January 8, 1996

The Honorable Bert Sharp  
Chairman  
Senate State Affairs Committee  
Room 514, State Capitol Building  
Juneau, AK 99811

Dear Senator Sharp,

Senate Bill 182 and House Bill 349 were introduced at the end of the 1995 session to make changes in the elections laws in keeping with the recommendations of the Lieutenant Governor's Election Policy Transition Team. 1995 H. Jour. 2174-6; 1995 S. Jour. 1804-6. Since that time, the division of elections and the Department of Law have determined that additional changes are necessary to address concerns expressed by the United States Department of Justice about Voting Rights Act preclearance of provisions of ch. 111, SLA 1994 (HB 303), the state's initial response to the National Voter Registration Act of 1993 (NVRA), the so-called "motor voter" Act. Further, changes to the Corrupt Practices Act (AS 15.56) are considered desirable to make clarify what voter incentive activities are legal in Alaska.

NVRA Related Amendments

Proposed secs. 2, 11, and 12 of the bill, set out in the attached amendment, eliminate the requirement for an oath for voter registration and for certain voting procedures, found in AS 15.07.060, 15.07.130, and AS 15.15.210, as required by the NVRA. The NVRA suggests the use of a statement "under penalty of perjury." In Alaska, that attestation may be used only if a notary or other officer designated to administer oaths is not available. AS 09.63.020. Thus, we have referred to the penalties for false statements in place of a statement that the voter signs "under penalty of perjury."

Proposed sec. 7 of the bill, set out in the attached amendment, addresses the perception that Alaska's statute "purges" a voter too early. While Alaska's deactivation process does not truly purge a voter, this amendment assures that there is no change in voter status before the time set out in the federal law for actual removal of a voter from the rolls.

The Honorable Bert Sharp  
January 8, 1996  
Page Two

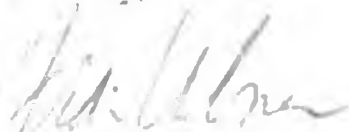
Amendments of Corrupt Practices Act

In Dansereau v. Ulmer, 903 P.2d 555 (Alaska 1995), the 1994 Gubernatorial election was challenged because some persons unrelated to the campaign held a lottery to encourage persons to turn out and vote in the general election. In an opinion resolving the appeal, the Alaska Supreme Court observed that state law differed from federal law concerning the validity of voter incentive programs. Under federal law, it is unlawful to pay a person to vote. Under state law, it is unlawful only if a person pays a person to vote for a particular candidate. AS 15.56.030. There has been a growing incidence of lotteries and other devices preceding general and primary elections. For the most part, these incentive programs have been conducted to increase voter turnout rather than to influence a voter to vote in any particular manner. If a federal candidate appears on the general or primary ballot, voter incentive programs may become the subject of a federal law enforcement effort.

Proposed secs. 35 and 36, set out in the attached amendment, would make state law consistent with federal law. These changes would remove any potential for confusion caused by different standards for election campaign conduct.

I urge your support for enacting these amendments into law along with the other beneficial provisions of the SB 182 and HB 349.

Sincerely,



Fran Ulmer  
Lieutenant Governor

Attachment

9-GH0051AC  
Chenoweth  
3/20/96

CS FOR HOUSE BILL NO. 349( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR  
A BILL

FOR AN ACT ENTITLED

1 "An Act relating to elections, to the division of elections, and to voter  
2 registration procedures; and providing for an effective date."

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

4 \* Section 1. AS 15.07.050 is amended to read:

5 Sec. 15.07.050. MANNER OF REGISTRATION [IN PERSON OR BY  
6 MAIL]. Registration may be made

7 (1) in person before a registration official or through a voter registration  
8 agency;

9 (2) [, OR MAY BE MADE] by mail; or

10 (3) by facsimile transmission or another method of electronic  
11 transmission that the director approves.

12 \* Sec. 2. AS 15.07.060(a) is amended to read:

13 (a) Each applicant who requests registration or reregistration shall supply the  
14 following information [UNDER OATH]:

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- (1) name and sex;
- (2) address and other necessary information establishing residence, including the term of residence in the state and in the district, if requested;
- (3) whether the applicant has previously been registered to vote in another jurisdiction, and, if so, the jurisdiction and the address of the previous registration;
- (4) a declaration that the registrant will be 18 years of age or older within 90 days of the date of registration;
- (5) a declaration that the registrant is a citizen of the United States;
- (6) date of application;
- (7) signature or mark;
- (8) any former name under which the applicant was registered to vote in the state;
- (9) an attestation that the information provided by the applicant in (1) - (8) of this subsection is true; and
- (10) a certification that the applicant understands that a false statement on the application may make the applicant subject to prosecution for a misdemeanor under this title or AS 11.

\* Sec. 3. AS 15.07.070(b) is amended to read:

(b) To register by mail or by facsimile or other electronic transmission approved by the director under AS 15.07.050, the director, the area election supervisor, or a voter registration agency shall furnish, at no cost to the voter, forms prepared by the director on which the registration information required under AS 15.07.060 shall be inserted by the voter, or by a person on behalf of the voter if the voter is physically incapacitated. The director may require proof of identification of the applicant as required by regulations adopted by the director under AS 44.62 ( [THE] Administrative Procedure Act) ~~((AS 44.62))~~. Upon receipt and approval of the completed registration forms the director or the election supervisor shall forward to the voter an acknowledgment in the form of a registration card, and the voter's name shall immediately be placed on the master register located in the office of the director and on the district register located in the office of the election supervisor. If the

1 registration is denied, the voter shall immediately be informed in writing that  
2 registration was denied and the reason for denial.

3 \* Sec. 4. AS 15.07.070(c) is amended to read:

4 (c) The names of persons submitting completed registration forms by mail that  
5 are postmarked at least 30 days before the next election, or submitting completed  
6 registration forms by facsimile or other electronic transmission approved by the  
7 director under AS 15.07.050 that are received at least 30 days before the next  
8 election, shall be placed on the official registration list for that election. If a  
9 registration form received by mail less than 30 days before an election does not have  
10 a legible and dated postmark, the name of the person submitting the form shall be  
11 placed on the official registration list for that election if the form was signed and dated  
12 by the person at least 30 days before the election and if the form is received by the  
13 director or election supervisor at least 25 days before the election. The name of a  
14 person submitting a completed registration form by mail or by facsimile or other  
15 electronic transmission that does not meet the applicable requirements of this  
16 subsection may not be placed on the official registration list for that election but shall  
17 be placed on the master register after that election.

18 \* Sec. 5. AS 15.07.070(f) is amended to read:

19 (f) Incomplete or inaccurate registration forms may not be accepted. A person  
20 who submitted an incomplete or inaccurate registration form may register by  
21 reexecuting and resubmitting a registration form in person, [OR] by mail, or by  
22 facsimile or other electronic transmission approved by the director under  
23 AS 15.07.050. The requirements of (c) or (d) of this section apply to a registration  
24 form resubmitted under this subsection.

25 \* Sec. 6. AS 15.07.070(h) is amended to read:

26 (h) The director shall design the form of the voter's certificate appearing on  
27 the [LARGE] envelope that is used for voting a questioned ballot so that all  
28 information required for registration by AS 15.07.060(a) may be obtained from a voter  
29 who votes a questioned ballot. If the voter voting a questioned ballot has completed  
30 all information on the voter registration portion of the questioned ballot voter's  
31 certificate, the director shall place the name of the voter on the official registration list.

1 \* **Sec. 7. AS 15.07.130(b) is amended to read:**

2 (b) When a registered voter has not indicated in writing a desire to remain  
3 registered within the preceding four [TWO] calendar years and has neither [NOT]  
4 voted nor appeared to vote in the last two general elections [A LOCAL,  
5 REGIONAL SCHOOL BOARD, PRIMARY, SPECIAL, OR GENERAL ELECTION  
6 AT LEAST ONCE IN TWO CONSECUTIVE CALENDAR YEARS], the voter shall  
7 be advised by a notice sent by forwardable mail to the voter's last known address that  
8 registration will be inactivated unless the voter responds to the notice at least 30 days  
9 before the date of the next primary election on a form furnished by the director. The  
10 director shall maintain on the master register the name of a voter whose registration  
11 is inactivated. The director shall cancel a voter's inactive registration after the second  
12 general election that occurs after the registration becomes inactive if the voter does not  
13 vote or appear to vote [EITHER A QUESTIONED BALLOT OR AN ABSENTEE  
14 BALLOT THAT IS COUNTED UNDER AS 15.15.198(b) AT OR BEFORE THAT  
15 ELECTION].

16 \* **Sec. 8. AS 15.07.130(d) is amended to read:**

17 (d) The notice described in (b) of this section must include a postage prepaid  
18 and pre-addressed return card on which the voter may state the voter's current address.  
19 The notice must indicate

20 (1) that the voter should return the card not later than 30 days before  
21 the next primary election if the voter did not change residence;

22 (2) that the voter may vote only a questioned or absentee ballot if the  
23 voter does not return the card at least 30 days before the next primary election;

24 (3) that the voter's registration will be cancelled if the voter does not  
25 vote or appear to vote in an election held during the period beginning on the date of  
26 the notice and ending on the day after the date of the second general election that  
27 occurs after the date of notice; and

28 (4) how the voter can continue to be eligible to vote if the voter has  
29 changed residence.

30 \* **Sec. 9. AS 15.07.190 is amended to read:**

1           Sec. 15.07.190. VIOLATIONS. A person who violates AS 15.07.180  
2 [AS 15.07.170 OR 15.07.180] is guilty of a misdemeanor and upon conviction is  
3 punishable by imprisonment for not more than one year, or by a fine of not more than  
4 \$1,000, or by both.

5 \* Sec. 10. AS 15.10.110 is amended to read:

6           Sec. 15.10.110. APPOINTMENT OF ELECTION SUPERVISORS. The  
7 director shall appoint election supervisors, including one in each of the municipalities  
8 of Juneau, Anchorage, Fairbanks, and Nome, to assist in the administration of elections  
9 in the election districts designated by the director. The director may appoint as an  
10 election supervisor a person who is a qualified voter in the area over which the person  
11 has jurisdiction and who meets the applicable requirements of AS 15.10.105(b)  
12 [DOES NOT HOLD AN OFFICE IN A POLITICAL PARTY]. An election supervisor  
13 is entitled to receive compensation in an amount that is comparable to that received  
14 for similar state employment as determined by the director.

15 \* Sec. 11. AS 15.15.030(5) is amended to read:

16           (5) The state general election ballot shall be printed on white paper  
17 with the names of the candidates and their party designations placed in separate  
18 sections under the office designation to which they were nominated. The party  
19 affiliation, if any, shall be designated after the name of the candidate. The lieutenant  
20 governor and the governor shall be included under the same section. Provision shall  
21 be made for voting for write-in and no-party candidates within each section. [THE  
22 SQUARES APPEARING ON THE BALLOTS SHALL MEASURE 1/4 INCH ON  
23 EACH SIDE.]

24 \* Sec. 12. AS 15.15.140(a) is amended to read:

25           (a) If the election board receives an insufficient number of official [PAPER  
26 BALLOTS, OFFICIAL PUNCH-CARD] ballots [,] or official election materials, it  
27 shall provide and the voters may use unmarked substitute ballots or other election  
28 materials to indicate the intent of the voter.

29 \* ~~Sec. 13.~~ AS 15.15.198(b) is amended to read:

30           (b) A person whose registration is inactive under AS 15.07.130(b) and who  
31 votes a questioned or absentee ballot shall have the ballot counted if

1 (1) the person was registered to vote for either of the two most recent  
2 general elections;

3 (2) the person signs [UNDER OATH] a statement to that effect; and

4 (3) the earlier registration is verified by the director.

5 • Sec. 14. AS 15.15.210 is amended to read:

6 Sec. 15.15.210. QUESTIONING OF VOTERS OF SUSPECT  
7 QUALIFICATION. Every election judge and election clerk shall question, and every  
8 watcher and any other person qualified to vote in the precinct may question a person  
9 attempting to vote if the questioner has good reason to suspect that the questioned  
10 person is not qualified to vote. All questions regarding a person's qualifications to  
11 vote shall be made in writing setting out the reason the person has been questioned.  
12 A questioned person before voting shall subscribe to a declaration [AN OATH OR  
13 AFFIRMATION] in a form provided by the director attesting to the fact that in each  
14 particular the person meets all the qualifications of a voter, is not disqualified, and has  
15 not voted at the same election, and certifying that the person understands that a  
16 false statement on the declaration may subject the person to prosecution for a  
17 misdemeanor under this title or AS 11. The questioned person shall also state the  
18 place from which that person came immediately before living in the precinct where  
19 offering to vote and the length of time of residence in the former place. After the  
20 questioned person has executed the declaration [OATH OR AFFIRMATION], the  
21 person may vote. If the questioned person refuses to execute the declaration [OATH  
22 OR AFFIRMATION], the person may not vote.

23 \* Sec. 15. AS 15.15.215(a) is amended to read:

24 (a) A voter who casts a questioned ballot shall vote the ballot in the same  
25 manner as prescribed for other voters. The [AFTER THE ELECTION JUDGE  
26 REMOVES THE NUMBERED STUB FROM THE BALLOT, THE] voter shall insert  
27 the ballot into a secrecy sleeve, the election judge shall remove the numbered stub  
28 from the ballot, and the voter shall [SMALL ENVELOPE AND] put the secrecy  
29 sleeve [SMALL ENVELOPE] into an [A LARGER] envelope on which the statement  
30 the voter previously signed is located. The envelope [THESE LARGER  
31 ENVELOPES] shall be sealed and deposited in the ballot box. When the ballot box

1 is opened, the [THESE] envelopes shall be segregated, counted, compared to the  
2 voting list, and delivered to the official or body supervising the election. The merits  
3 of the question shall be determined by this official or body in accordance with the  
4 procedure prescribed for questioned votes in AS 15.20.207.

5 \* Sec. 16. AS 15.15.440 is amended to read:

6 Sec. 15.15.440. DATES FOR OPENING AND CLOSING STATE BALLOT  
7 COUNTING REVIEW. The state ballot counting review shall begin no earlier  
8 [LATER] than 11 days after an [THE] election and no later than 16 days after an  
9 election, and shall be continued [DAILY] until completed. The director may designate  
10 the hours each day during which the state ballot counting review board is to conduct  
11 its ballot counting review. The director shall close the review when the director is  
12 satisfied that no missing precinct certificate of election would, if received, change the  
13 result of the election. If no election certificate has been received from a precinct, the  
14 director may secure from the election supervisors and may count a certified copy of  
15 the duplicate election certificate of the precinct. If no election materials have been  
16 received, but election results have been received by telephone, telegram or radio, the  
17 director shall count the election results so received. If the director has reason to  
18 believe that a missing precinct certificate, if received, would affect the result of the  
19 election, the director shall await the receipt of the certificate until the close of business  
20 on the 15th day after the date of election. A certificate not actually delivered to the  
21 director by the close of business on the 15th day after the election may not be counted  
22 at the state ballot counting review.

23 \* Sec. 17. AS 15.20.010 is repealed and reenacted to read:

24 Sec. 15.20.010. PERSONS WHO MAY VOTE ABSENTEE. At any election  
25 a qualified voter may vote an absentee ballot for any reason.

26 \* Sec. 18. AS 15.20.030 is amended to read:

27 Sec. 15.20.030. PREPARATION OF BALLOTS, ENVELOPES, AND OTHER  
28 MATERIAL. The director shall provide ballots for use as absentee ballots in all  
29 districts. The director shall provide a secrecy sleeve [SMALL ENVELOPE] in which  
30 the voter shall initially place the marked ballot, and shall provide an [A LARGER]  
31 envelope [,] with the prescribed voter's certificate on it [THE BACK], in which the

1        secrecy sleeve [SMALL ENVELOPE] with ballot enclosed shall be placed. The  
2        director shall prescribe the form of and prepare the voter's certificate, envelopes, and  
3        other material used in absentee voting. The voter's certificate shall include an oath,  
4        for use when required, that the voter is a qualified voter in all respects, a blank for the  
5        voter's signature, a certification that the affiant properly executed the marking of the  
6        ballot and gave the voter's identity, blanks for the attesting official or witnesses, and  
7        a place for recording the date the envelope was sealed and witnessed.

8        \* Sec. 19. AS 15.20.061(c) is amended to read:

9                (c) On receipt of an absentee ballot in person, the voter shall proceed to mark  
10              the ballot in secret, to place the ballot in the secrecy sleeve [SMALL ENVELOPE],  
11              to place the secrecy sleeve [SMALL ENVELOPE] in the [LARGER] envelope  
12              provided, and to sign the voter's certificate on the [BACK OF THE LARGER]  
13              envelope in the presence of the election official who shall sign as attesting official and  
14              date that signature. The election official shall then accept the ballot.

15        \* Sec. 20. AS 15.20.071 is repealed and reenacted to read:

16                      Sec. 15.20.071. ABSENTEE VOTING BY PERSONAL REPRESENTATIVE.

17              (a) A qualified voter with a disability who, because of that disability, is unable to go  
18              to a polling place to vote may vote an absentee ballot through a personal  
19              representative.

20              (b) A personal representative may apply in writing to the following election  
21              officials, at the times specified, for an absentee ballot on behalf of a voter who is  
22              eligible under (a) of this section:

23                      (1) to an absentee voting official on or after the 15th day before an  
24                      election up to and including the day of the election;

25                      (2) to an election supervisor

26                              (A) after a date announced by the director under  
27                              AS 15.20.048(b); and

28                              (B) on or after the 15th day before an election up to and  
29                              including the day of the election;

30                      (3) to an absentee voting official at an absentee voting station  
31                      designated under AS 15.20.045(b) at a time when the absentee voting station is in

1 operation;

2 (4) to a member of a precinct election board on election day.

3 (c) The application by the personal representative shall be signed by the  
4 personal representative and must include the following:

5 (1) the full name and full residence address of the personal  
6 representative;

7 (2) the full name and full residence address of the voter on whose  
8 behalf the personal representative is applying for an absentee ballot;

9 (3) a form of identification for the personal representative that meets  
10 the requirements for identification established by the director under AS 15.20.081(f)  
11 for absentee voting by mail; and

12 (4) a statement signed by the personal representative that the voter for  
13 whom the personal representative is applying for an absentee ballot will be unable to  
14 go to the polling place because of a disability.

15 (d) Upon receipt of a written application from a personal representative that  
16 meets the requirements of (c) of this section, the election official shall issue the  
17 absentee ballot and other absentee voting material to the personal representative.

18 (e) The personal representative shall deliver the absentee ballot and other  
19 absentee voting materials to the voter as soon as practicable. The voter shall proceed  
20 to mark the ballot in secret, to place the ballot in the secrecy sleeve, and to place the  
21 secrecy sleeve in the envelope provided. On the voter's certificate portion of the  
22 envelope, the voter shall state the name of the personal representative who applied for  
23 the absentee ballot, shall state that because of a disability the voter is unable to go to  
24 a polling place to vote, and shall sign the voter's certificate in the presence of the  
25 personal representative and provide a form of identification for the voter that meets the  
26 requirements for identification established by the director under AS 15.20.081(f) for  
27 absentee voting by mail. The personal representative shall witness and date the  
28 signature of the voter. The voter shall mark the ballot, and complete and sign the  
29 voter's certificate, not later than election day. The voter shall return the absentee  
30 ballot to the personal representative who shall deliver the ballot to the election official  
31 who provided the ballot. The absentee ballot must be returned to the election official

1 not later than 8:00 p.m. on election day.

2 (f) Notwithstanding (e) of this section, if a qualified voter's disability  
3 precludes the voter from performing any of the requirements of (e) of this section, the  
4 personal representative may perform those requirements on the voter's behalf.

5 (g) An election official shall keep a record of the name and signature of each  
6 personal representative requesting an absentee ballot and the name of the voter on  
7 whose behalf the ballot is requested. The election official shall record the date that  
8 the absentee ballot is provided and the date that the ballot is returned to the election  
9 official.

10 (h) The voter's employer, an agent of the voter's employer, or an officer or  
11 agent of the voter's union may not act as a personal representative for that voter.

12 \* Sec. 21. AS 15.20.081(d) is amended to read:

13 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of  
14 a notary public, commissioned officer of the armed forces including the National  
15 Guard, district judge or magistrate, United States ~~post~~ official, registration official,  
16 or other person qualified to administer oaths, may proceed to mark the ballot in secret,  
17 to place the ballot in the secrecy sleeve [SMALL ENVELOPE], to place the secrecy  
18 sleeve [SMALL ENVELOPE] in the [LARGER] envelope provided, and to sign the  
19 voter's certificate on the [BACK OF THE LARGER] envelope in the presence of an  
20 official listed in this subsection who shall sign as attesting official and shall date the  
21 signature. If none of the officials listed in this subsection is reasonably accessible, an  
22 absentee voter shall sign the voter's certificate in the presence of two persons over the  
23 age of 18 years, who shall sign as witnesses and attest to the date on which the voter  
24 signed the certificate in their presence, and, in addition, the voter shall provide the  
25 certification prescribed in AS 09.63.020.

26 \* Sec. 22. AS 15.20.190(a) is amended to read:

27 (a) Thirty days before [PRIOR TO] the date of an election, the election  
28 supervisors shall appoint, in the same manner provided for the appointment of election  
29 judges prescribed in AS 15.10.150, district absentee ballot counting boards and district  
30 questioned ballot counting boards, each composed of at least four members. At least  
31 one member of each board must be a member of the same political party of which

1 the governor is a member, and at least one member of each board must be a  
2 member of the political party whose candidate for governor received the second  
3 largest number of votes in the preceding gubernatorial election [, TWO FROM  
4 EACH POLITICAL PARTY]. The district boards shall assist the election supervisors  
5 in counting the absentee and questioned ballots and shall receive the same  
6 compensation paid election judges under AS 15.15.380.

7 \* Sec. 23. AS 15.20.201(b) is amended to read:

8 (b) Counting of absentee ballots that [WHICH] have been reviewed shall  
9 begin at 8:00 p.m., local time, on the day of the election at places designated by each  
10 election supervisor and shall continue until all absentee ballots reviewed and eligible  
11 for counting have been counted. The counting teams shall report the count of absentee  
12 ballots to the district absentee ballot counting board. An election supervisor or an  
13 election official may not count [REMOVE] absentee ballots [FROM THE SMALL,  
14 INNER ENVELOPES] before 8:00 p.m., local time, on the day of the election.  
15 Counting of the absentee ballots shall continue at times designated by the election  
16 supervisor until all absentee ballots are counted.

17 \* Sec. 24. AS 15.20.203(c) is amended to read:

18 (c) Any person present at the district absentee ballot counting review may  
19 challenge the name of an absentee voter when read from the voter's certificate on the  
20 [BACK OF THE LARGE] envelope if the person has good reason to suspect that the  
21 challenged voter is not qualified to vote, is disqualified, or has voted at the same  
22 election. The person making the challenge shall specify the basis of the challenge in  
23 writing. The district absentee ballot counting board by majority vote may refuse to  
24 accept and count the absentee ballot of a person properly challenged on grounds listed  
25 in (b) of this section.

26 \* Sec. 25. AS 15.20.203(e) is amended to read:

27 (e) If an absentee ballot is not rejected, the [LARGE] envelope shall be opened  
28 and the secrecy sleeve [SMALL ENVELOPE] containing the absentee ballot shall be  
29 placed in a container and mixed with other secrecy sleeves [SMALL ENVELOPES].

30 \* Sec. 26. AS 15.20.203(f) is amended to read:

31 (f) The secrecy sleeves [SMALL ENVELOPES] shall be drawn from the

1 container, the absentee ballots shall be removed from the secrecy sleeves  
2 [OPENED], and the absentee ballots counted at the times specified in AS 15.20.201  
3 and according to the rules for determining properly marked ballots in AS 15.15.360.

4 \* Sec. 27. AS 15.20.207(c) is amended to read:

5 (c) Any person present at the district questioned ballot review may challenge  
6 the name of a questioned voter when read from the voter's certificate on the [BACK  
7 OF THE LARGE] envelope if the person has good reason to suspect that the  
8 questioned voter is not qualified to vote, is disqualified, or has voted at the same  
9 election. The person making the challenge shall specify the basis of the challenge in  
10 writing. The district questioned ballot counting board by majority vote may refuse to  
11 accept and count the questioned ballot of a person properly challenged under grounds  
12 listed in (b) of this section.

13 \* Sec. 28. AS 15.20.207(e) is amended to read:

14 (e) If a questioned ballot is not rejected, the [LARGE] envelope shall be  
15 opened and the secrecy sleeve [SMALL ENVELOPE] containing the questioned ballot  
16 shall be placed in a container and mixed with other secrecy sleeves [SMALL  
17 ENVELOPES] containing questioned ballots.

18 \* Sec. 29. AS 15.20.207(f) is amended to read:

19 (f) The secrecy sleeves [SMALL ENVELOPES] shall be drawn from the  
20 container, the questioned ballots shall be removed from the secrecy sleeves  
21 [OPENED], and the questioned ballots counted at the times specified in AS 15.20.205  
22 and according to the rules for determining properly marked ballots in AS 15.15.360.

23 \* Sec. 30. AS 15.20.207(g) is amended to read:

24 (g) Upon completion of the questioned ballot review, the election supervisor  
25 shall prepare an election certificate for execution by the district questioned ballot  
26 counting board, and shall forward the original certificate and returns to the director as  
27 soon as the count is completed but no later than the 11th [NINTH] day following the  
28 election.

29 \* Sec. 31. AS 15.20.620(c) is amended to read:

30 (c) As a security precaution, after the computer has been tested as prescribed  
31 in (b)(2) and (4) of this section.

1 (1) the vote-counting task shall remain isolated from nonrelated  
2 processing tasks;

3 (2) [PROCESSING NOT CONCERNED WITH VOTE COUNTING  
4 SHALL BE LIMITED TO TASKS WHICH ARE CRITICAL TO THE COMPUTER  
5 CENTER AND SHALL BE AGREED UPON IN ADVANCE BY THE MANAGER  
6 OF THE COMPUTER CENTER AND THE DIRECTOR;

7 (3)] reasonable computer security controls shall be in effect to assure  
8 the integrity of the vote-counting process; and

9 (3) [(4)] access to the computer counting area shall be controlled by the  
10 data processing review board until the vote-counting process is terminated.

11 \* Sec. 32. AS 15.20.620(f) is amended to read:

12 (f) At any time during the count, party representatives or members of the data  
13 processing review board may request a listing of the parameter coding that  
14 [PROGRAM SOURCE CODE WHICH] comprises the instructions to be executed by  
15 the computer.

16 \* Sec. 33. AS 15.20.640(a) is amended to read:

17 (a) Immediately after the polls have closed, the ballot box shall be opened by  
18 election board members in full view of all persons present, and all ballots shall be  
19 removed [FROM THE BALLOT ENVELOPES].

20 \* Sec. 34. AS 15.20.700(c) is amended to read:

21 (c) The backup documentation for each counting session [BALLOT IMAGE  
22 MAGNETIC TAPE WHICH CONTAINS AN EXACT IMAGE OF EACH COUNTED  
23 BALLOT] shall be retained in a secure manner by the election supervisor until the  
24 director determines that it is no longer needed.

25 \* Sec. 35. AS 15.20.740 is amended to read:

26 Sec. 15.20.740. QUESTIONED PUNCH-CARD BALLOTS. The procedure  
27 for reviewing and counting questioned punch-card ballots is the same procedure  
28 established in AS 15.20.205 and 15.20.207 for hand-marked ballots except that  
29 questioned punch-card ballots may be processed by the computer from the third  
30 through the 10th [EIGHTH] day following the election. The data processing review  
31 board shall supervise the count and shall follow the procedure established in

1 AS 15.20.680 and 15.20.685.

2 \* Sec. 36. AS 15.20.800(d) is amended to read:

3 (d) The voter may cast the ballot under AS 15.20.081(d) - (f)  
4 [AS 15.20.081(d) - (c)].

5 \* Sec. 37. AS 15.58.060(a) is amended to read:

6 (a) Each general election candidate shall pay to the lieutenant governor at the  
7 time of filing material under this chapter the following:

8 (1) President or Vice-President of the United States, United States  
9 senator, United States representative, governor, lieutenant governor, supreme court  
10 justice and court of appeals judge, \$300 [\$150] each;

11 (2) superior court judge and district court judge, \$150 [\$75] each;

12 (3) state senator and state representative, \$100 [\$50] each.

13 \* Sec. 38. AS 15.58.060(b) is amended to read:

14 (b) The state chair [CHAIRMAN] or executive committee of a political party  
15 shall pay to the lieutenant governor at the time of filing material under this chapter  
16 \$600 [\$300] for each page purchased.

17 \* ~~Sec. 39. AS 15.05.040 and AS 15.07.170 are repealed.~~

18 \* Sec. 40. PILOT PROGRAM FOR VOTING BY MAIL IN PRIMARY AND GENERAL  
19 ELECTIONS. (a) Notwithstanding AS 15.20.800(a), the director of elections may permit  
20 voting by mail for the ~~1993~~ primary and general elections in not more than 10 precincts that  
21 are located in a rural area of the state and that have no more than 200 registered voters.  
22 Voting by mail under this section is subject to the provisions of AS 15.20.800(b) - (e).

23 (b) The director of elections may not open a polling place in a precinct in which the  
24 director conducts an election by mail under this section. However, the director shall assure  
25 that in each precinct in which the director conducts an election by mail under this section at  
26 least one absentee voting official is appointed. Along with each ballot that is mailed to a  
27 voter in a precinct under this section, the director shall include a notice giving the name of  
28 the absentee voting officials for the precinct and explaining that the voter may go to an  
29 absentee voting official for assistance in casting the ballot.

30 (c) Before implementing this section, the director of elections shall consult with the  
31 officials of a municipality, village, Native village, or other government or tribal entity to

1 ascertain whether the municipality, village, Native village, or other government or tribal entity  
2 is interested in participating in the pilot program authorized by this section.

3 (d) The director may adopt regulations to implement and interpret this section.

4 \* Sec. 41. This Act takes effect immediately under AS 01.10.070(c).

**SB**

**1966**

BILL: SB 196                      SHORT TITLE: NAMING FERRY VESSEL KONIAG  
BILL VERSION:  
SPONSOR(S): SENATOR(S) ZHAROFF

CURRENT STATUS: (S) STA    STATUS DATE: 02/23/96

HEARING: (S) STA MAR 12 03:30 PM BELTZ ROOM 211

TITLE: "An Act naming the new maritime ferry vessel Koniag."

12/29/95	2057	(S)	PREFILE RELEASED - 12/29/95
01/08/96	2057	(S)	READ THE FIRST TIME - REFERRAL(S)
01/08/96	2057	(S)	TRA, STA
02/23/96	2512	(S)	TRA RPT 2DP 2NR <i>Lincoln, Adams / P. Green - MR</i>
02/23/96	2512	(S)	ZERO FISCAL NOTE (DOT)
02/23/96	2512	(S)	REFERRED TO STATE AFFAIRS

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. SB 196

Revision Date: 2/20/96 Dept. Affected: DOT&PF  
 Title: Naming Ferry Vessel Koniag BRU: Marine Engineering  
 Component: CIP Program  
 Sponsor: Zharoff  
 Requester: Transportation COMPONENT SERIAL NO. 624

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
-------------------------------	------------	------------	------------	------------	------------	------------

**FUND SOURCE**

(Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

POSITIONS	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

This legislation would result in no cost to the Department of Transportation and Public Facilities.

Prepared by: Sam Kito III Phone: 465-3900  
Special Assistant  
 Division: Office of the Commissioner Date: 2/20/96  
 Approved by: *Joseph L. Rubin* Date: 2/20/96  
Commissioner  
 Agency: Department of Transportation and Public Facilities

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- FISCAL NOTE -



**Senator Fred F. Zharoff**  
*Alaska State Legislature*

In Kodiak: P.O. Box 405, Kodiak, Alaska 99615 (907) 486-5259 (Fax also)

In Juneau: State Capitol, Room 121, Juneau, Alaska 99801-1182

Phone: (907) 465-3473 • Fax: (907) 463-3043

State Senate District C

Kodiak Island & Rural Southeast Alaska

**MEMORANDUM**

TO: Senator Bert Sharp, Chairman  
Senate State Affairs Committee

FROM: Senator Fred F. Zharoff

DATE: February 28, 1996

SUBJ: Scheduling of SB 196

-----  
I would like to request a hearing on SB 196, "An Act naming the new maritime ferry vessel Koniag." This bill was introduced on January 8, 1996 and moved out of the Senate Transportation Committee on February 22.

I have attached a sponsor statement and fiscal note from DOT as well as a copy of the letter and map sent to me by the Mayor of the City of Old Harbor requesting this bill.

Thank you for your consideration of this request.

Attachment

# SENATE COMMITTEE REPORT

DATE: 2/23/96

FURTHER:

DATE TURNED INTO OFFICE: 3/13/96

The State Affairs Committee considered SENATE BILL NO. 196

"An Act naming the new maritime ferry vessel Koniag."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

**Senate Bill:**  
 same title  
 new title  
**House Bill:**  
 same title  
 technical change  
 new: SCR\*

SIGNING/DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Loren J. Herman</i>	✓				
<i>Roll E. Jolly</i>	✓				
<i>James D. Wiley</i>	✓				
<i>Frank D. ...</i>	✓				
<b>CHAIR:</b> <i>Bob ...</i>	✓				

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

Bul Version: SB 196  
(S) Publish Date: 2-23-96

Revision Date: 2/20/96 Dept. Affected: DOT&PF  
 Title: Naming Ferry Vessel Koniag BRU: Marine Engineering  
 Sponsor: Zharoff Component: CIP Program  
 Requester: Transportation COMPONENT SERIAL NO. 624

**Expenditures/Revenues**

(Thousands of Dollars)

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PERSONAL SERVICES						
TRAVEL						
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SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CAPITAL EXPENDITURES</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CHANGE IN REVENUES ( )</b>	0.0	0.0	0.0	0.0	0.0	0.0

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

This legislation would result in no cost to the Department of Transportation and Public Facilities.

Prepared by: Sam Kito III Phone: 465-3900  
 Special Assistant  
 Division: Office of the Commissioner Date: 2/20/96  
 Approved by: *Joseph L. Puk* Date: 2/20/96  
 Commissioner  
 Agency: Department of Transportation and Public Facilities

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# Senator Fred F. Zharoff

*Alaska State Legislature*

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In Juneau: State Capitol, Room 121, Juneau, Alaska 99801-1182

Phone: (907) 463-3473 • Fax: (907) 463-3043

State Senate District C

Kodiak Island & Rural Southeast Alaska

## MEMORANDUM

TO: Senator Bert Sharp, Chairman  
Senate State Affairs Committee

FROM: Senator Fred F. Zharoff

DATE: February 28, 1996

SUBJ: Scheduling of SB 196

-----

I would like to request a hearing on SB 196, "An Act naming the new maritime ferry vessel Koniag." This bill was introduced on January 8, 1996 and moved out of the Senate Transportation Committee on February 22.

I have attached a sponsor statement and fiscal note from DOT as well as a copy of the letter and map sent to me by the Mayor of the City of Old Harbor requesting the bill.

Thank you for your consideration of this request.

Attachment



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State Senate District C

Kodiak Island & Rural Southeast Alaska

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### SPONSOR STATEMENT

#### SB 196

SB 196, "An Act naming the new maritime ferry vessel Koniag" was introduced at the suggestion of the mayor of the City of Old Harbor, which is a community on Kodiak Island.

This bill would name the Alaska Marine Highway's new vessel the M/V Koniag. Statute requires that the name of marine highway vessels be established by law and be after a glacier in Alaska.

Koniag Glacier is located on the Southeast side of Kodiak Island. Currently all the names of the marine highway vessels are derived from glaciers in Southeast Alaska, Southcentral Alaska or the Kenai Peninsula. Kodiak has been an important part of the marine highway system for over 30 years. Since the new vessel will be utilized in Southwest Alaska as well as Southeast Alaska, I believe it appropriate to recognize a glacier in Southwest as the name for the new vessel.



# City of Old Harbor

P.O. Box 109  
Old Harbor, Alaska 99643

CITY OF THE THREE SAINTS

(907) 286-2203 OR 286-2204

FAX: 286-2278



November 13, 1995

Senator Fred Zharoff  
Room 121  
State Capitol  
Juneau, Ak 99801-1182

Dear Senator Zharoff,

I am writing to you to request a name for the newest addition in the Alaska Marine Highway System (Ferry). With my understanding it is a tradition to name a new vessel after a glacier.

As this vessel may serve the Alaska Peninsula and Kodiak Island I would like to submit the name "Koniag", for this new vessel's name. Koniag Glacier is on the U.S.G.S. map. This glacier is located approximately 10 miles Northwest of Old Harbor, in the mountains adjacent to Mt. Koniag which is the Highest point on Kodiak Island.

Please forward this request to the proper agency if the naming of these vessel's are not through the state legislature.

Sincerely,

Rick Berns, Mayor

enclosed: U.S.G.S map



— OLD HARBOR LETTER —

## Chapter 65. Alaska Marine Highway System.

### Section

#### 20. Naming of vessel or facility

*Sec. 19.65.010. Duty station or port change for employees of the Alaska marine highway system. (Repealed, § 52 ch 59 SLA 1982.)*

**Sec. 19.65.020. Naming of vessel or facility.** (a) A vessel or facility of the Alaska marine highway system constructed or acquired by the Department of Transportation and Public Facilities under AS 19.60 — AS 19.65 may be given a name only by law.

→ (b) A maritime vessel shall bear the name of an Alaska glacier.

(c) A vessel used principally on the inland waterways of the state shall bear the name of a historical vessel which used the rivers of the state. (§ 2 ch 4 SLA 1981)

arak River: *stream*, see Kolavinarak

ia River: *stream*, see Meade River.

ak River: *stream*, see Meade River.

ik Lakes: *lakes*, numerous and closely spaced, extend 40 mi. between Ikipikuk and Key Creek, S of Price River, Arctic; 69°42' N, 154°00' W; (map 142).

imo name for Price River; obtained in at Anuktuvuk Pass by T. E. Taylor.

si. The name has been transposed to lakes just south of the Price River.

aturuk: *locality*, see Kilimantavi.

turok: *locality*, see Kilimantavi.

urok: *locality*, see Kilimantavi.

k Creek: *stream*, flows N 9 mi. to No-tiver, 41 mi. SE of Howard Pass, Brooks; 67°42' N, 156°09' W; (map 126).

mo name meaning "outgoing trail," used at Kobuk by Orth in 1956.

o: *locality*, "near mouth of Yukon" Yukon-Kuskokwim Delta; (map 77). *Var.* Komarov Odinothcha.

mer Eskimo camp, or settlement, and post reported in 1878 by E. W. Nelson, U.S. Signal Service. Ivan Petroff listed "rov Odinothcha," with a population of the 1880 Census.

Odinothcha: *locality*, see Komarov.

ck, Cap: *peninsula*, see Kumliun, Cape.

ak Slough: *stream*, flows NE 8 mi. to arak River, 14 mi. S of village of Scam-ay, Yukon-Kuskokwim Delta; 61°39' N, 1° W; (map 75).

mo name reported by USC&GS in 1951.

Hon: *estuary*, see Frederick, Port.

ality, "on Baranof I.," Alex. Arch. (ur 9).

er Tlingit Indian camp or settlement d by J. R. Swanton (in Hodge, 1907, BAE).

at Glacier: *glacier*, heads 2 mi. SW of Canada boundary, trends NE 8 mi. into to Melbern Glacier, 82 mi. W of Skag-ot Elias Mts.; 59°23' N, 137°38' W; (5).

l name published by USGS in the

Mountain: *mountain*, 5,100 ft., 2 mi. Shadow Bay, 100 mi. SE of Bethel, Kuskokwim Mts.; 60°02' N, 159°15' N 1932; (map 59).

no name meaning "the source" reported by USGS.

ay, see Tebenkof Bay.

re Lake: *lake*, 1.1 mi. long, on Kenai 1 mi. NW of Swan Lake and 25 mi. NE as, Cook Inlet Low.; 60°41'30" N, 45" W; (map 62).

ed about 1963 by officials of Kenai d Moose Range, for administrative

Minnehwin Lake: *lake*, 2 mi. long, otin Minnehwin Lake, 22 mi. SE of ot, Kanuti Flats; 66°22'30" N, 151°-W; (map 117).

kan Indian name obtained in 1956 at t. by T. E. Taylor, USGS.

Konega Island: *island*, see Kanaga Island.

Koneks River: *stream*, heads at 68°30' N, 144°-45' W, flows SE 72 mi. to Sheenjek River, 50 mi. NE of Christian, Brooks Ra.; 67°44' N, 143°46' W; (map 121).

Local name reported in 1927 by J. B. Mertie, Jr. (in Smith, P. S., 1929, pl. 1), USGS. This may be "crows nest" in an altered form.

Konets Head: *point of land*, on SW tip of Unalaska I., Aleutian Is., 53°18'30" N, 167°50'-00" W; BGN 1939; (map 23). *Var.* Southwest End, Southwest Konets.

Russian name published by Capt. Tebenkov, IRN, in 1852 as "S. W. Konets" (map 26), and translated by USBF in 1888 as "Southwest end."

Konetz Point: *point of land*, see Dalnoi Point.

Kongagak River: *stream*, see Kongakut River.

Kongakut River: *stream*, heads in Davidson Mts. a 58°49' N, 143°09' W, flows 100 mi. NE to Siku Lagoon, 8 mi. NW of Demarcation Point, Arctic Plain; 69°46' N, 141°42' W; BGN 1959; (map 138). *Var.* Kangikat River, Kongagak River, Turner River.

Eskimo name reported by Leffingwell (1919, p. 100) and meaning approximately "deer pond." See Turner River.

Konganevik Point: *point of land*, on Beaufort Sea coast, extending NE into Camden Bay, 21 mi. SE of Flaxman I., Arctic Plain; 70°-01'30" N, 145°10'30" W; (map 151). *Var.* Kanganevik Point, Kangigvik Point, Kongan-gevik Point, Konvenavik Point.

Eskimo name reported in 1912 by Leffingwell (1919, p. 97) to mean "place where there is a deer pond."

Konganevik Point: *point of land*, see Konganevik Point.

Kongerua River: *stream*, flows SW 16 mi. to Johnson River, 14 mi. SW of Bethel, Yukon-Kuskokwim Delta; 60°43' N, 162°09' W; (map 58).

Eskimo name reported to mean "corner" in 1949 by USC&GS.

Kongigamute: *locality*, see Kongik.

Konganak: *locality*, on W shore of Kuskokwim Bay, 14 mi. SW of Kulvagavik, 34 mi. SW of Quinnagak, Yukon-Kuskokwim Delta; 59°52' N, 163°02' W; (map 54).

Name of an Eskimo village reported in 1878 by E. W. Nelson, U.S. Signal Service, as "Kongiganagamiut," i.e. "Kongiganak people."

Kongik: *locality*, on Buckland River, Seward Penin High. (map 110). *Var.* Kangoot, Kengugmiut, Kongigamute.

Former Eskimo camp or settlement reported as "Kongigamute," with a population of 90, by Ivan Petroff in the 1880 Census, as "Kengugmiut," with a population of 54, in the 1890 Census.

Kongishluk Bay: *cove*, 2 mi. across, on S shore of Scammon Bay, 10 mi. E of Cape Romanzof, Yukon-Kuskokwim Delta; 61°50' N, 165°46' W; (map 75). *Var.* Edmonds Cove.

Eskimo name reported by USC&GS in 1949.

The name "Edmonds Cove" was given by G.

Kongkok Basin: *basin*, rimmed by Owalit and Ivekian Mts., 3 mi. NW of Bunnell Cape, 26 mi. S of Gambell, Saint Lawrence I.; 63°24' N, 171°45' W; BGN 1951; (map 93). *Var.* Kangkak Basin, Kongkok Valley.

Eskimo name reported in 1949 by Maj. H. B. Allen, USAF.

Kongkok Bay: *bay*, 1 mi. wide, 3 mi. NW of Bunnell Cape, 27 mi. S of Gambell, W coast of St. Lawrence I.; 63°23' N, 171°47' W; BGN 1951; (map 93). *Var.* Kangkak, Kangkok.

Eskimo name obtained from Lawrence Kulukhan, of Gambell, in 1944. Orth spelled the name "Kangkak" while there in 1965 but could not obtain a meaning for it.

Kongkok Valley: *basin*, see Kongkok Basin.

Konglah: *locality*, S of Rush Hill, on W coast of Saint Paul I., in Pribilof Is.; 57°10'45" N, 170°24'30" W; (map 38).

An Aleut name reported by Elliott (1881, Saint Paul map).

Kon-gon-wik: *stream*, see Hunt River.

Kong River: *stream*, see Kuk River.

Konguk: *stream*, see Buckland River.

Kongumavik Creek: *stream*, flows SE 3.5 mi. to Anaktuvuk River, 0.5 mi. N of Cache Lake and 5 mi. NE of Anaktuvuk Pass, Brooks Ra.; 68°11'30" N, 151°38'00" W; (map 134). *Var.* Kanggur avil. Creek, Kongumavuk Creek, Kungomovik Creek.

Eskimo name, meaning "gathering place," published by Rausch (1951, p. 159) as "Kungomovik," so called because the Kobuk Eskimo often came here to trade with the local Tulugakmiut.

Kongumavuk Creek: *stream*, see Kongumavik Creek.

Koniag Glacier: *glacier*, heads on Koniag Peak, trends N 2.3 mi., 7 mi. W of head of Kiliuda Bay, Kodiak I.; 57°22'00" N, 153°19'10" W; (map 34).

Named in 1963 by the Kodiak and Aleutian Islands Historical Society Inc. for the Koniag Eskimo, "the oldest inhabitants of Kodiak Island."

Koniag Peak: *mountain*, 4,470 ft., 7 mi. W of head of Kiliuda Bay, Kodiak I.; 57°21'15" N, 153°19'20" W; BGN 1964; (map 34).

Named in 1963 by the Kodiak and Aleutian Islands Historical Society Inc. See Koniag Glacier.

Konicheskaya: *mountain*, see Conical Volcano.

Konicheskaya Sopka: *mountain*, see Conical Volcano.

Konicheskaya Sopka: *mountain*, see Potato Mountain.

Konichesk Volcano: *mountain*, see Conical Volcano.

Koniguktalikmute: *locality*, see Kanikyaktalikmiut.

Koniougi Island: *island*, see Koniuji Island.

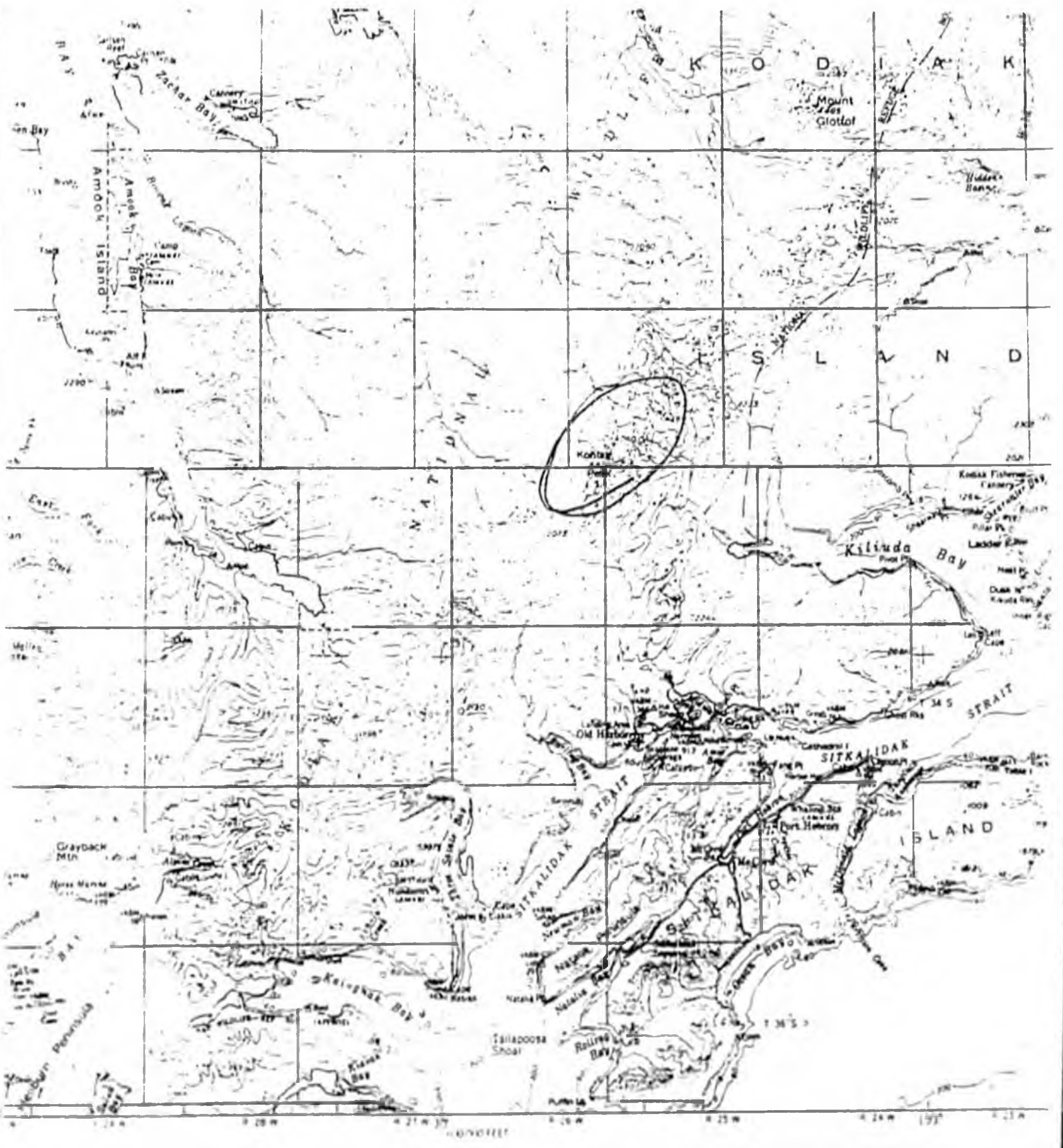
Konioujii: *island*, see Big Koniuji Island.

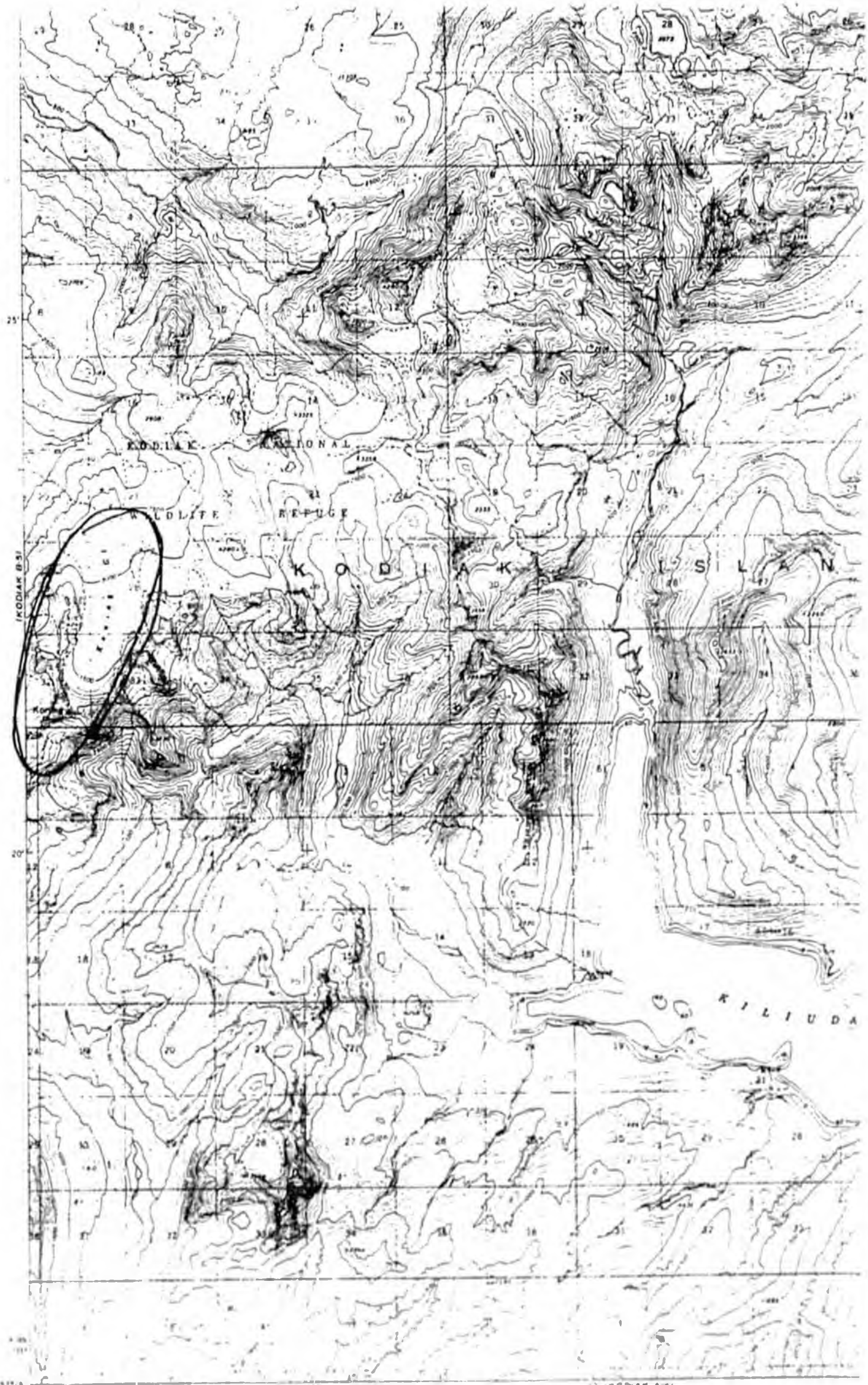
Koniouji Island: *island*, see Koniuji Island.

Koniugi: *island*, see Big Koniuji Island.

Koniuji Island: *island*, 0.8 mi. long, 10 mi. N of Atka Is., Andreano' Is., Aleutian Is.; 57°13'20" N, 175°08'00" W; BGN 1890;







1:50,000  
 1957  
 1:50,000  
 1957

Map published by the Geologic Survey  
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 Topographic by photogrammetric methods from aerial photographs  
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SENATE BILL NO. 196

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY SENATOR ZHAROFF

Introduced: 1/8/96

Referred: TRA, STA

A BILL

FOR AN ACT ENTITLED

1 "An Act naming the new maritime ferry vessel Koniag."

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

3 \* Section 1. PURPOSE. In accordance with AS 19.65.020, this Act provides that the new  
4 maritime ferry vessel currently being designed and constructed by the Department of  
5 Transportation and Public Facilities for addition to the Alaska marine highway system shall  
6 be named after the Koniag Glacier on Kodiak.

7 \* Sec. 2. AS 19.65.020 is amended by adding a new subsection to read:

8 (d) The maritime ferry vessel being designed and constructed for the Alaska  
9 marine highway system on the effective date of this Act is named Koniag.

BILL