

Laws of Alaska

CHAPTER 1.

AN ACT

[H. B. 1]

Providing for a special election to fill vacancies in either branch of the Legislature, and declaring an emergency.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. In case of a vacancy caused by death, resignation, incapacity, or other cause in either branch of the Legislature, the Governor of the Territory of Alaska may in his discretion, cause a special election to be held to fill such vacancy, and shall issue a writ ordering such special election to be held not less than ten days from the date of the writ. If such vacancy shall have occurred more than fifteen days before the convening of the Legislature, an additional day shall be added to such notice for each day more than 15 days prior to the convening of the Legislature until not less than 30 days notice shall be given. The Governor shall, immediately upon the issuance of the writ, notify the clerk of the district court in the division in which the election is to be held, giving such notice by telegraph when necessary, and such clerk of the court shall immediately cause notice of such writ to be given to the common council of each incorporated town in his division, and to each United States Commissioner therein, by the most rapid means of communication necessary to give proper notice, by mail, telephone, tele-

Governor may issue writ for election to fill vacancy.

Time of notice of election to Clerk of Court.

Clerk of Court to issue notice to City Clerk and U. S. Commissioners.

Common Council of municipality to give notice and how.

graph or otherwise. Upon the receipt of such notice, it shall be the duty of the common council of each incorporated town to at once give notice of the election by posting a written or printed notice in three public places in each precinct in said town, specifying the time, place and purpose of the election, and, in case there are one or more newspapers of general circulation published in the town, a copy of such notice shall be published at least once in one of such newspapers prior to the day of election. The common council of each incorporated town shall also, at the time of providing for the giving of notice, appoint three judges of election and two clerks for each voting precinct, all of whom shall be qualified voters of the precinct, and no more than two judges and one clerk shall belong to the same political party, and shall immediately notify said judges and clerk of such appointment. The United States Commissioner in each recording district shall, upon receipt of said notice from the clerk of the court, at once give notice of the election by posting written or printed notices thereof, specifying the time, place and purpose of the election, which notices shall be posted as follows: One at the office of the commissioner in said recording district, and one at each of three conspicuous places in each of said voting precincts in said recording district, one of which shall be the polling place in each precinct. The failure of any commissioner to post said notice as herein provided, on account of notice not having been received by him in time from the clerk of the court, shall not invalidate the election held in any voting precinct if held at the time provided for in the writ issued by the Governor of Alaska. Each United States Commissioner shall also select, notify and appoint, from the qualified electors in each voting precinct three judges of election for said precinct, not more than two of whom shall be of the same political party. Upon the failure of any United States Commissioner

Appointment Judges and Clerks of Election.

U. S. Commissioner to issue notice of election and how.

Failure not to invalidate election if held.

Commissioner to appoint Judges.

to appoint and notify judges of election, as herein provided, the qualified voters present at any election precinct on the day of election may select judges by viva voce vote, in the same manner as provided by law in cases where judges of election fail to appear and qualify.

Failure to appoint Judges, electors to select.

Section 2. The election precincts in and outside incorporated towns shall be the same as those established for the last previous general election.

Election precincts to be same as last general election.

Section 3. The election, when held, shall be governed by the laws of Congress regulating general elections in the Territory of Alaska, except as otherwise provided by this act; Provided, that the election boards in the various precincts, in addition to forwarding the official returns as now provided by law, shall, immediately after compiling the result of the election, forward by telegraph, telephone, or other speedy means of communication, a statement to the clerk of the court giving the number of votes cast and the number of votes cast for each candidate. The clerk of the court shall, in addition to forwarding to the Governor of Alaska the certificates, as now provided by law, forward by telegraph a statement or statements showing the number of votes cast at each precinct, as well as the number of votes cast for each candidate at each precinct. The Territorial canvassing board, may, in their discretion, accept such telegraphic returns from the clerk of the court of the division wherein such election is held, and a certificate of election may issue prior to the receipt of the returns now prescribed by law; provided, that after canvassing the returns the canvassing board may, in their discretion, issue a certificate of election prior to the receipt of the returns from all the election precincts when it is apparent that the vote cast in the missing precincts will not change the results. Provided further that if, after the official returns arrive, it shall be discovered by the canvassing

Laws regulating general elections to govern, except as provided.

Proviso, relative to forwarding returns and canvassing votes.

Proviso, for recanvass.

board that the person to whom the certificate of election had been issued had not in fact received a plurality of the votes cast at the special election, it shall be the duty of the canvassing board to order the original certificate cancelled and issue another certificate of election to the person who, by the canvass of the official returns, is found to have been elected.

Qualifications
of electors.

Section 4. The qualifications of voters at such special elections shall be the same as those prescribed by the laws of Congress and of the Territory of Alaska covering general elections.

Chapter 25,
Laws 1915, not
to apply.

Section 5. The provisions of Chapter 25 of the Session Laws of Alaska, 1915, entitled "An Act to provide official ballots for elections in the Territory of Alaska," shall not apply to the special elections provided for in this act.

Supplies, etc. to
be furnished by
Clerk of Court.

Section 6. It shall be the duty of the clerk of the court in the division in which such election is held to provide and furnish to each United States Commissioner therein, the necessary election supplies, stationery, duplicate registers and ballot [tally] sheets for use in the various precincts, and to forward the same to such commissioners as soon as possible after receipt by said clerk of the notice of the issuance of the writ of election; but, in any precinct where such supplies fail to arrive, the judges and clerks of election shall provide the necessary supplies, stationery, registers and tally sheets.

Emergency.

Section 7. An emergency is hereby declared to exist, and this act shall take effect from and after its passage and approval.

Approved March 16, 1921.