



# LAWS OF ALASKA

1968

**Source**

HB 686 am S

**Chapter No.**

211

## AN ACT

Relating to voter registration.

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

\* Section 1. AS 15.05.010 is amended by adding a new subsection to read:

(6) has registered before the election as required under ch. 7 of this title.

\* Sec. 2. AS 15 is amended by adding a new chapter to read:

#### CHAPTER 7. REGISTRATION OF VOTERS.

Sec. 15.07.010. REGISTRATION OF VOTERS. The precinct election judges at an election shall allow a person to vote whose name is registered in the precinct in which he intends to vote.

Sec. 15.07.020. REGISTRATION AS A PREREQUISITE. (a) Registration shall not be a prerequisite for voting until the 1970 primary election.

(b) Subject to the provisions of sec. 70 of this chapter, all persons who complete the required preregistration forms and vote in the 1968 primary or general elections, except those who are successfully challenged, shall be considered registered voters.

Sec. 15.07.030. WHO MAY REGISTER. A person who has the qualifications of a voter as set out in AS 15.05.010(1) - (5), or who will have the qualifications at the succeeding primary or general election, is entitled to be registered as a voter in the precinct in which he resides.

Sec. 15.07.040. TIME FOR REGISTRATION. A person who is qualified under AS 15.05.010(1) - (5) is entitled to register at any time throughout the year commencing 30 days after the certification required by sec. 3 of this Act, except that no registration will be made for a period of 14 days preceding the election if the application for registration is made in person or 30 days preceding the election if the application for registration is made by mail; however, registration may be made in person at either the 1968 primary or general election as provided in sec. 70(d) of this chapter.

Sec. 15.07.050. REGISTRATION IN PERSON OR BY MAIL. Registration may be made in person before a registration official or by mail.

Sec. 15.07.060. REQUIRED REGISTRATION INFORMATION. (a) Each applicant who requests registration or re-registration shall supply the following information:

- (1) name and sex;
- (2) address and other necessary information establishing residence if requested;
- (3) election district and precinct as of the date of registration;
- (4) term of residence in state and in election district;
- (5) a declaration that the registrant will be 19 years of age or older on or before the date of the next statewide election;
- (6) a declaration that the registrant is a citizen of the United States;
- (7) date of application;
- (8) signature or mark

Sec. 15.07.070. PROCEDURE FOR REGISTRATION. (a) The secretary of state shall promulgate rules and regulations consistent with the provisions of this section to enable voters to register.

(b) To register by mail the secretary of state or the area election supervisor shall furnish, upon request, and at no cost to the voter, forms prepared by the secretary of state on which the registration information required under sec. 60 of this chapter shall be inserted by the voter, or by a person on behalf of the voter if he is physically incapacitated. The forms shall be executed before two Alaska residents if the person registering is in the state. If the person is outside the state, the forms shall be executed before a person qualified to administer oaths. Upon receipt and approval of the completed registration forms the secretary of state or the election supervisor shall forward to the voter an acknowledgment in the form of a registration card, and his name shall immediately be placed on the master register located

in the office of the secretary of state and on the district register located in the office of the election supervisor. If the registration is denied, the voter shall immediately be informed in writing by certified or registered letter that registration was denied and the reason for denial.

(c) All applications for registration by mail shall be postmarked at least 30 days before the next ensuing primary or general election. An application to register which was not postmarked before the 30-day requirement shall not be considered to be invalid, but shall be considered by the secretary of state as an application by the voter to be registered to vote in the next subsequent primary or general election and to remain on the master register thereafter.

(d) Qualified voters may register in person before a registration official at any time throughout the year after the effective date of this chapter except that no registration may be made within 14 days preceding an election. Upon receipt and approval of the registration forms the secretary of state or the election supervisor shall forward to the voter an acknowledgment in the form of a registration card and his name shall immediately be placed on the master register located in the office of the secretary of state and on the district register located in the office of the election supervisor.

(e) The secretary of state shall forward to all qualified voters who request absentee ballots in the 1968 primary or general election the necessary forms for registration required in subsequent elections. Completed forms shall be processed in the same manner as those requested by mail.

Sec. 15.07.080. REGISTRATION OFFICIALS TO SERVE DURING THE 1968 PRIMARY AND GENERAL ELECTION. The secretary of state shall appoint one or more registration officials to serve in each precinct polling place in the 1968 primary and general election during the hours the polls are open. Each person who is appointed and serves as a registration official at the polls is entitled to the same rate of compensation paid election judges. When more than one registration official is appointed to serve in any precinct polling place, each major political party shall be represented.

Sec. 15.07.090. RE-REGISTRATION. (a) A voter whose name is changed by marriage or court order 90 days or less before an election may vote under his or her previous name. A voter whose name is changed by marriage or a court order more than 90 days before an election shall re-register.

(b) A voter shall re-register if his registration is cancelled for failure to vote in prior elections as provided in sec. 130 of this chapter.

(c) It shall be incumbent upon the secretary of state and the election supervisor to transfer the registration of a voter from one precinct to another when requested by a voter so to do, upon good cause shown.

(d) A person who claims he is a registered voter, but

for whom no evidence of registration in the precinct can be found, shall be granted the right to vote in the same manner as that of a challenged voter and his ballot shall be treated in the same manner. The ballot shall be considered to be a "questioned ballot" and shall be so designated. The secretary of state or his representative shall determine whether the voter is registered in the election district before counting the ballot.

Sec. 15.07.100. REGISTRATION OFFICIALS. The secretary of state shall appoint one or more registration officials in each precinct. When more than one registration official is appointed to serve in a precinct, each major political party shall be represented. However, any precinct containing more than 250 voters must have at least two registration officials, one from each major political party.

Sec. 15.07.110. EXPENSE OF REGISTRATION. Each registration official serving between elections shall be paid by the secretary of state a sum to be determined by him which may not exceed \$1 per voter personally registered by him.

Sec. 05.07.120. CUSTODY OF REGISTERS. A master register shall at all times remain in the custody of the secretary of state. The area election supervisor shall likewise maintain a register of all voters within the precincts of the area election district he supervises.

Sec. 15.07.130. ELIMINATION OF EXCESS NAMES. (a) At the close of each calendar year the area election supervisor shall examine the register.

(b) When a registered voter has not voted in either a primary or general election at least once in four consecutive calendar years, the voter shall be advised by the area election supervisor by certified mail sent to his last known address that his registration will be cancelled unless he indicates within 90 days on forms furnished by the secretary of state of his desire to remain registered.

(c) The secretary of state shall obtain from the office of vital statistics death certificates and presumptive death certificates for all residents over 19 years of age who have died or who have been presumptively declared dead. The secretary of state shall cancel the registration of all deceased voters.

Sec. 15.07.140. GENERAL ADMINISTRATIVE SUPERVISION BY SECRETARY OF STATE. The secretary of state shall provide general administrative supervision over the registration and re-registration of voters and may issue regulations under the Administrative Procedure Act (AS 44.62) necessary to protect the interest of the voter and assure administrative efficiency; however, the secretary of state shall not issue or promulgate administrative regulations which are inconsistent with the provisions of this chapter. The secretary of state shall, no later than 40 days before any primary or general election, arrange to have the list of registered voters of the precinct publicly displayed in the precinct. The secretary of state shall instruct

registration officials to post the list of registered voters in a number of locations calculated to obtain maximum recognition.

Sec. 15.07.150. APPEAL TO SUPERIOR COURT FOR DENIAL OF REGISTRATION. When a person is refused registration by a registration official, the registration official shall at the time of the refusal give to the registration applicant, in writing, the reason or reasons for the refusal. The person shall have the right to an immediate appeal to the area election supervisor, which appeal may be taken informally, and either verbally or in writing. When a voter is refused registration by an area election supervisor the action shall be reviewed by the superior court of the judicial district; the area election supervisor shall file a petition with the superior court for a judicial determination. If the petition is filed within 45 days before the date of a statewide election, the petition shall be given precedence over other matters pending before the court.

Sec. 15.07.160. UNLAWFUL ACTION. (a) It is unlawful for a registration official to refuse to register a person who is qualified to vote under provision of AS 15.05.010(1) - (5).

(b) It is unlawful for a person to register who knows he is not qualified to vote under provisions of AS 15.05.-010(1) - (5).

(c) A person who violates or who aids or abets another to violate (a) or (b) of this section is guilty of a misdemeanor.

Sec. 15.07.170. FALSE STATEMENTS. An applicant for registration or re-registration who knowingly makes a material statement which is false is guilty of a misdemeanor.

Sec. 15.07.180. FEES PROHIBITED. No registration official may accept a fee from an applicant applying for registration.

Sec. 15.07.190. VIOLATIONS. A person who violates the provisions of secs. 170 and 180 of this chapter is guilty of a misdemeanor and upon conviction is punishable by imprisonment for not more than one year, or by a fine not to exceed the sum of \$1,000, or by both.

Sec. 15.07.200. APPOINTMENT OF AREA ELECTION SUPERVISORS. The secretary of state may appoint an area election supervisor for each of the four election areas to serve in the following cities: Juneau, Anchorage, Fairbanks, and Nome. The area election supervisors shall assist in the administration of elections. An area election supervisor may not hold office in a political party.

\* Sec. 3. (a) Preregistration procedures for the 1970 and subsequent elections shall commence 30 days after the secretary of state certifies that the voters in the general election of 1968 affirmatively approved the following referendum which shall be placed before the voters at that election:

Shall the provisions of Chapter \_\_\_\_\_ of the Session Laws of Alaska 1968, which establishes a system of pre-registration for voters in Alaska, be approved?

[ ] Yes

[ ] No

(b) The secretary of state shall fill in the blank in (a) of this section designating the chapter number of this Act and shall make copies of this Act available to voters in the primary and general elections in 1968.