

HOUSE BILL NO. 95

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES TUCK, Kawasaki, Gara

Introduced: 2/4/15

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to absentee voting, voting, and voter registration; relating to early
2 voting locations at which persons may vote absentee ballots; and providing for an
3 effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 15.05.010 is amended to read:

6 **Sec. 15.05.010. Voter qualification.** A person may vote at any election who

7 (1) is a citizen of the United States;

8 (2) is 18 years of age or older;

9 (3) has been a resident of the state and of the house district in which
10 the person seeks to vote for at least 30 days just before the election; and

11 (4) has registered [BEFORE THE ELECTION] as required under
12 AS 15.07 and is not registered to vote in another jurisdiction.

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

14 (a) Each applicant who requests registration or reregistration shall supply the

1 following information:

- 2 (1) the applicant's name and sex;
- 3 (2) if issued, the applicant's State of Alaska driver's license number or
4 State of Alaska identification card number, or the last four digits of the applicant's
5 social security number;
- 6 (3) the applicant's date of birth;
- 7 (4) the applicant's Alaska residence address;
- 8 (5) a statement of whether the applicant has previously been registered
9 to vote in another jurisdiction, and, if so, the jurisdiction and the address of the
10 previous registration;
- 11 (6) a declaration that the applicant will be 18 years of age or older
12 within 90 days after the date of registration;
- 13 (7) a declaration that the applicant is a citizen of the United States;
- 14 (8) the date of application;
- 15 (9) the applicant's signature, electronic signature, or mark;
- 16 (10) any former name under which the applicant was registered to vote
17 in the state;
- 18 (11) an attestation that the information provided by the applicant in (1)
19 - (10) of this subsection is true; and
- 20 (12) a certification that the applicant understands that a false statement
21 on the application may make the applicant subject to prosecution for a misdemeanor
22 under this title or AS 11.

23 * **Sec. 3.** AS 15.07.070(d) is amended to read:

24 (d) Qualified voters may register in person before a registration official or
25 through a voter registration agency at any time throughout the year. **A qualified voter**
26 **who registers** [, EXCEPT THAT A PERSON REGISTERING] within 30 days
27 preceding an election **or on the day of an election shall vote a questioned ballot** [IS
28 NOT ELIGIBLE TO VOTE] at that election. Upon receipt and approval of the
29 registration forms, the director or the election supervisor shall forward to the voter an
30 acknowledgment in the form of a registration card, and the voter's name shall
31 immediately be placed on the master register. Names of persons registering 30 or more

1 days before an election shall be placed on the official registration list for that election.

2 * **Sec. 4.** AS 15.07.130(e) is amended to read:

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

4 (1) the voter is present at a polling place or at an **early** [ABSENTEE]
5 voting station **designated under AS 15.20.045(b)** at a time when the polling place or
6 **early** [ABSENTEE] voting station is operating, for the purpose of casting a vote;

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

8 (3) in an election conducted by mail under AS 15.20.800, a voter who
9 has not received a ballot by mail makes a timely request to the division for a ballot.

10 * **Sec. 5.** AS 15.20.045 is amended to read:

11 **Sec. 15.20.045. Designation of absentee voting officials and early voting**
12 **stations for voting absentee ballots.** (a) The director or election supervisor may
13 designate persons to act as absentee voting officials under AS 15.20.010 - 15.20.220 in
14 areas where election supervisors do not have offices. Magistrates may, with the
15 approval of the administrative director of the Alaska Court System, be designated
16 under this section. At least 15 days before the election the director shall supply each
17 absentee voting official with appropriate ballots.

18 (b) The director may designate by regulation adopted under AS 44.62
19 (Administrative Procedure Act) locations at which **early** [ABSENTEE] voting stations
20 will be operated **for persons who vote absentee ballots** on or after the 15th day
21 before an election up to and including the date of the election. The director shall
22 supply **these** [ABSENTEE] voting stations with **absentee** ballots for all house districts
23 in the state and shall designate absentee voting officials to serve at **the** [ABSENTEE]
24 voting stations. **A designation as an early voting station under this subsection**
25 **remains in effect unless**

26 **(1) the location is no longer available for use as an early voting**
27 **station; or**

28 **(2) the director determines that the location is no longer**
29 **appropriate for use as an early voting station and makes that determination**
30 **available to the public in writing.**

31 (c) In a municipality in which the division will not be operating an **early**

1 [ABSENTEE] voting station under this section, the director may designate the
 2 municipal clerk as an absentee voting official for the limited purpose of distributing
 3 absentee ballots to qualified voters under AS 15.20.061(a)(1) and qualified voters'
 4 representatives under AS 15.20.072. At least 15 days before the election, the director
 5 shall supply municipal clerks designated under this subsection with absentee ballots.

6 * **Sec. 6.** AS 15.20.050 is amended to read:

7 **Sec. 15.20.050. Requirement of full public notice.** The director shall give full
 8 public notice of the dates and manner of voting absentee and may select any means of
 9 communication permitted to be used in giving notice of the date and time of the
 10 general election. The director shall give notice under this section of the location of
 11 early [ABSENTEE] voting stations designated under AS 15.20.045(b) at least 45
 12 days before each election.

13 * **Sec. 7.** AS 15.20.061(a) is amended to read:

14 (a) A qualified voter may apply in person for an absentee ballot to the
 15 following election officials at the times specified:

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

18 (2) to an election supervisor on or after the 15th day before an election
 19 up to and including the date of the election;

20 (3) to an absentee voting official at an early [ABSENTEE] voting
 21 station designated under AS 15.20.045(b) on or after the 15th day before an election
 22 up to and including the date of the election;

23 (4) to an absentee voting official in the precinct in which no volunteers
 24 can be located to serve on the election board on or after the 15th day before an election
 25 up to and including election day.

26 * **Sec. 8.** AS 15.20.072(b) is amended to read:

27 (b) The voter may, through a representative, request a special needs ballot
 28 from the following election officials at the times specified:

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

31 (2) from an election supervisor on or after the 15th day before an

1 election up to and including election day;

2 (3) from an absentee voting official at an **early** [ABSENTEE] voting
3 station designated under AS 15.20.045(b) on or after the 15th day before an election
4 up to and including the date of the election; or

5 (4) from a member of the precinct election board on election day.

6 * **Sec. 9.** AS 15.20.081 is amended by adding a new subsection to read:

7 (m) An absentee ballot application must include an option for a qualified voter
8 to choose to receive absentee ballots by mail for future regularly scheduled state
9 elections. The division may not require a voter who chooses this option to reapply for
10 an absentee ballot by mail unless

11 (1) the voter has not voted an absentee ballot for a period of four years;

12 or

13 (2) the voter's previous absentee ballot sent under this section was
14 returned to the division as undeliverable.

15 * **Sec. 10.** AS 15.80.010 is amended by adding a new paragraph to read:

16 (46) "electronic signature" has the meaning given in AS 09.80.190.

17 * **Sec. 11.** AS 29.20.380(c) is amended to read:

18 (c) The municipal clerk may act as an absentee voting official under
19 AS 15.20.045(c) for the limited purpose of distributing absentee ballots to qualified
20 voters or qualified voters' representatives under AS 15.20.072 in a municipality in
21 which the division of elections will not be operating an **early** [ABSENTEE] voting
22 station **under AS 15.20.045(b).**

23 * **Sec. 12.** The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 TRANSITIONAL PROVISIONS: REGULATIONS. The director of elections may
26 adopt or amend regulations as necessary to implement the changes made by this Act. The
27 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
28 effective date of the law implemented by the regulations.

29 * **Sec. 13.** This Act takes effect January 1, 2016.