

6 AAC 25.035(d) is amended to read:

(d) Members of the state ballot counting review board will be paid **\$25** [\$14.50] an hour for time spent at their election duties.

6 AAC 25.035 is amended by adding a new subsection to read:

(m) Language Assistance Workers working in a precinct in an on-call status on election day, will be paid a fee of \$125. Language Assistance Workers working for a regional elections office, or for multiple precincts on election day will be paid a fee of \$250. (Eff. 7/11/82, Register 83; am 7/17/88, Register 107; am 8/24/96, Register 139; am 6/22/98, Register 147; am 10/31/98, Register 148; am 8/13/2000, Register 155; am 8/22/2004, Register 171; am 4/25/2008, Register 186; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 15.07.100	AS 15.15.030	AS 15.20.220
	AS 15.10.110	AS 15.15.380	AS 15.20.900
	AS 15.15.010	AS 15.20.190	

6 AAC 25.040(c) is amended to read:

(c) The security of the polling place **and electronic voting equipment** must be maintained by the election board **during the hours the polls are open.** **The election board shall inspect the tamper-evident seal on electronic voting equipment and shall report any evidence of tampering to the election supervisor.**

(Eff. 10/1/74, Register 52; am 7/11/82, Register 83; am 8/6/87, Register 103; am 8/25/89, Register 111; am 8/9/94, Register 131; am 6/22/98, Register 147; am 10/31/98, Register 148; am

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8/23/2001, Register 159; am 8/22/2004, Register 171; am 4/25/2008, Register 186; am

\_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.15.010 AS 15.15.370 AS 15.20.170  
AS 15.15.030 AS 15.15.480 AS 15.20.900

6 AAC 25.045(1) is amended to read:

(1) the state ballot counting review board is responsible for certifying **and performing** the initial logic and accuracy test of the Accu-Vote counting program [AND] memory cards;

6 AAC 25.045(2) is amended to read:

(2) the regional Accu-Vote review board or Accu-Vote coordinator is responsible for **performing a second** [VERIFYING THE] logic and accuracy test of the Accu-Vote counting program **memory cards** and preparing the memory cards for election use;

(Eff. 6/22/98, Register 147; am 10/31/98, Register 148; am 8/22/2004, Register 171; am

\_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.15.010 AS 15.20.201 AS 15.20.900  
AS 15.15.030 AS 15.20.205

6 AAC 25.145(b) is amended to read:

(b) Forms used to register a voter will be reviewed at least once a year. If at the **time** [TUNE] of the review, recognized political party status has been obtained by a political group,

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the group's name will be printed on the form with other recognized political parties. If a political party no longer qualifies as a recognized political party as defined in AS 15.60.010 when the forms are reprinted, the party's name will be removed from the form at the time of the review unless the items required in 6 AAC 25.140(b) and (c) are submitted.

(Eff. 5/15/2006, Register 178; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.15.010 AS 15.60.008

**Editor's note:** A voter registration application form necessary to declare affiliation with an unrecognized political party under 6 AAC 25.145 may be obtained by contacting a regional office of the Division of Elections: Region I Elections Office, P.O. Box 110018, Juneau, AK 99811-0018; Region II Elections Office, 2525 Gambell St., Suite 100, Anchorage, AK 99503-2838; Region III Elections Office, 675 7th Ave., Suite H3, Fairbanks, AK 99701-4594; Region IV Elections Office, P.O. Box 577, Nome, AK 99762-0577. A copy of this form and instructions may also be obtained from the State of Alaska, Division of Elections website at [www.elections.alaska.gov](http://www.elections.alaska.gov) [HTTP://WWW.ELECTIONS.STATE.AK.US].

6 AAC 25.200(c) is amended to read:

(c) A recount may be conducted using Accu-Vote counting systems **along with** [AND] a **hand-count verification of the recount results from** [RANDOM SAMPLING OF VOTES CAST IN] one precinct per house district. [IN THOSE PRECINCTS WHERE THERE ARE DIRECT RECORDING ELECTRONIC (DRE) VOTING SYSTEMS. IF A CANDIDATE WISHES TO HAVE A RECORD OF EACH BALLOT IN THE AFFECTED RACE PRINTED, THE CANDIDATE MUST PAY THE COST OF PRINTING.]

6 AAC 25.200(d) is amended to read:

(d) A recount **of the ballots cast on the** [USING A] Direct Recording Electronic (DRE) voting system shall be conducted by **hand counting** [RECOUNTING] the **voter-verifiable** paper receipt from that voting system for that polling place. If the **voter-verifiable** paper receipt is not

(1) available, the **election results** [RESULT] **reflected on the printed results report and** reported election night by the election board for the affected precinct is the result for the recount for that precinct;

(2) readable, the **election results** [RESULT] **reflected on the printed results report and** reported election night by the election board for the affected precinct is the result for the recount for that precinct; if **the printed results report from** [ELECTION RESULTS REPORTED BY] the election board are not available, a duplicate receipt may be printed from the polling place memory card. (Eff. 6/23/86, Register 99; am 8/6/87, Register 103; am 8/22/2004, Register 171; am 4/25/2008, Register 186; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.15.010 AS 15.20.430 AS 15.20.480

6 AAC 25 is amended by adding a new section to read:

**6 AAC 25.203. Hand-Count Verification of Election Results.** (a) The hand-count verification of election results under AS 15.15.430(a)(3) will be conducted following each primary, general or statewide special election. The verification will take place in the director's office or at another site in Juneau, selected by the director. The director will, in his or her

discretion, prescribe reasonable rules and procedures for the orderly conduct of the hand-count verification.

(b) The results reported election night in each district will be used to determine which precincts in each house district account for at least five percent of the ballots cast in that district.

(c) In conducting the hand-count verification of election results in each randomly selected precinct,

(1) the ballots for contested candidate races will be hand-counted and compared against the results as reported election night;

(2) if there are ballot measures appearing on the ballot, the ballots for at least one randomly selected ballot measure will be hand-counted and compared against the results as reported on election night;

(3) if there are judicial retention candidates appearing on the ballot, the ballots for at least one randomly selected judicial retention candidate will be hand-counted and compared against the results as reported on election night. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.15.430

6 AAC 25.505 is repealed and readopted to read:

**6 AAC 25.505. Application for absentee by-mail ballot.** (a) A person may supply an application for an absentee by-mail ballot if the application is prepared by the division, or, if it is not prepared by the division, approved by the director before distribution to the public.

(b) If the application for an absentee by-mail ballot is not prepared by the division, the application must be submitted to the director no later than 30 days before election day, and must include

(1) space for

(A) the applicant to request for which election the applicant would like an absentee by-mail ballot;

(B) the applicant's full name and sex;

(C) the applicant's State of Alaska driver's license number or State of Alaska identification card number, the applicant's voter identification number, the applicant's social security number or the last four digits of the applicant's social security number;

(D) the applicant's date of birth;

(E) the applicant's residence address;

(F) the applicant to indicate if the applicant wishes to keep the applicant's residence address confidential;

(G) the applicant's permanent mailing address;

(H) the address to which the applicant wants the absentee by-mail ballot mailed, if that address is different from the applicant's permanent mailing address;

(I) the applicant to declare that the applicant will be 18 years of age or older within 90 days after the date of registration;

(J) the applicant to declare that the applicant is a citizen of the United States;

(K) the applicant to date the application;

(L) the applicant's signature or mark;

(M) the applicant to designate a political party or group affiliation;

(N) the applicant to review primary ballot choices available if the application is made available for a primary election and to designate a primary ballot choice;

(O) the applicant to state if the applicant is

(i) a member of one of the uniformed services on active duty;

(ii) a member of the merchant marine; or

(iii) a spouse or dependent of an individual described in (i) or (ii)

of this subparagraph who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote;

(P) the applicant to state if the applicant is an absent overseas voter qualifying under AS 15.05.011;

(Q) the applicant to request to receive ballots through the next two regularly scheduled general elections for federal office at the address to which the applicant wants the absentee ballot mailed, if the application is submitted under AS 15.20.081(i) by an absent uniformed services voter or by an absent overseas voter qualifying under AS 15.05.011;

(R) the applicant to request a special advance ballot under AS 15.20.082 if the applicant expects to be living, working, or traveling outside the United States or expects to be in a remote area of the state; and

(S) the applicant to provide any former name under which the applicant was registered to vote in the state;

(2) a voter certificate and attestation that is the same as the certificate and attestation set out in the application as prepared by the division;

(3) a warning that a false statement on the application may make the applicant subject to conviction of a felony or misdemeanor under AS 15.56.040 or 15.56.050; and

(4) a statement that the application must be received by the division at least 10 days before election day.

(c) An application for an absentee by-mail ballot

(1) may not be designed or marked to suggest one ballot over another; and

(2) must give, as the address to which the application is to be returned, the address that the division provides for mailing absentee by-mail ballot applications to the division.

(d) In this section,

(1) "absent uniformed services voter" has the meaning given in 42 U.S.C. 1973ff-6;

(2) "member of the merchant marine" has the meaning given in 42 U.S.C. 1973ff-6;

(3) "uniformed services" has the meaning given in 42 U.S.C. 1973ff-6. (Eff. 4/25/2008, Register 186; am \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_)

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**Authority:** AS 15.15.010 AS 15.20.081

6 AAC 25.660(b) is amended to read:

(b) A special advance ballot will be mailed to a voter who provides written notice under (a) of this section if the application is received not later than **28** [32] days before the election in which the voter seeks to vote.

(Eff. 8/12/90, Register 115; am 8/24/96, Register 139; am 8/22/2004, Register 171; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.15.010 AS 15.20.081 AS 15.20.203  
AS 15.15.360 AS 15.20.082

6 AAC 25.670(a) is amended to read:

(a) For a statewide primary, [OR] general, **or special** election, a qualified voter who has properly applied under AS 15.20.081 for an absentee ballot and has not received the ballot may vote for **all federal and state candidate races, each judicial retention election and ballot proposition or questioned scheduled to appear on the ballot that the voter is eligible to participate** [FEDERAL CANDIDATES] by using a federal write-in absentee ballot. The voter must be

6 AAC 25.670(b) is amended to read:

(b) In completing the federal write-in ballot, the voter may designate a candidate for **each candidate race for a primary election** [FEDERAL OFFICE] by writing in the name of

the **office and** candidate **or, for the general or special election by writing in the name of the office and candidate** or by writing in the **office and the** name of a political party. If the voter has written in the name of the political party, **for a general or special election** the ballot will be counted for the candidate of that political party certified to appear on the state's official ballot. Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate or political party will be disregarded in determining the validity of the ballot, if the intention of the voter can be ascertained. **For judicial retention elections the voter may designate his or her vote by writing the name of the judge and writing “yes” to retain a judge or “no” to not retain a judge. For ballot propositions or questions the voter may designate his or her vote in writing the ballot proposition or question assigned number and writing “yes” to enact the proposition or question or “no” to not enact the proposition or question. The voter will sign and shall have his or her ballot witnessed in the manner prescribed under AS**

**15.20.081(d)**. The federal write-in ballot will be counted in the general manner prescribed for the counting of write-in votes in AS 15.15.360, except that the requirement under AS 15.15.360 (a)(11) that the voter mark the oval opposite the candidate's name does not apply.

(Eff. 8/12/90, Register 115; am 8/22/2004, Register 171; am 5/14/2006, Register 178; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.05.011 AS 15.15.010 AS 15.20.082  
AS 15.05.014 AS 15.20.081 AS 15.20.203

6 AAC 25.672(2)(b) is amended to read:

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(b) A special advance ballot will be mailed to a voter who provides written notice under (a) of this section if the application is received not later than **28** [32] days before the election in which the voter seeks to vote.

(Eff. 4/25/2008, Register 186; am \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.05.011 AS 15.15.030 AS 15.20.082  
AS 15.15.010 AS 15.20.030

6 AAC 25.680(f) is amended to read:

(f) When a completed absentee ballot is received by electronic transmission, the division will note the date of receipt on the absentee ballot **accountability** [APPLICATION] log and, if the ballot is received on election day, the time of receipt **will be recorded on the voter identification portion of the transmittal.** The division will then

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(Eff. 8/24/96, Register 139; em am 6/22/98 – 10/19/98, Register 147; am 8/13/2000, Register 155; am 8/22/2004, Register 171; am 5/14/2006, Register 178; am \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.15.010 AS 15.20.081 AS 15.20.225  
AS 15.20.066 AS 15.20.082

6 AAC 25 is amended by adding a new section to read:

**6 AAC 25.684. Absentee by-mail ballot mailing address.** (a) A voter requesting an absentee by-mail ballot as prescribed under AS 15.20.081(a) shall provide an address that the

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absentee ballot is to be returned. If a specific ballot mailing address is not indicated on the voter's application as a ballot mailing address, the director will mail the ballot to the voter's permanent mailing address. If the person's permanent mailing address is not indicated on the application, the director will mail the ballot to the voter's residence address. (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 15.20.081

6 AAC 25.690(b) is amended to read:

(b) A candidate for elected office under AS 15.25.030 or AS 15.25.180 may provide the division with biographical information of not more than 150 words, and a candidate's advocacy statement of not more than 250 words, for inclusion in the election pamphlet. All information to be published in the election pamphlet must be received by the division **no later than** [BY] July 22 of an election year, except that information to be published in the election pamphlet by a candidate for the offices of United States President and Vice President must be received **no later than** [BY] August 30 of a presidential election year. A candidate may not make a change to the candidate's biographical information or advocacy statement after the deadline. A candidate's advocacy statement must be submitted typewritten or transmitted electronically. An article such as "a", "and", and "the" will be counted as one word.

6 AAC 25.690(c)(8) is amended to read:

(8) **Age** [DATE OF BIRTH];

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6 AAC 25.690 is amended by adding a new subsection to read:

(e) At the time of filing, full payment is required. If payment is made by check or credit card, if check is NSF or the credit card is denied, the candidate does not meet payment requirements outlined in AS 15.58.060 and will not be in the election pamphlet. Refunds for those candidates who filed material but who will not be in the pamphlet, will be returned after the general election has ended. (Eff. 8/22/2004, Register 171; am 5/14/2006, Register 178; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 15.15.010 AS 15.58.030 AS 15.58.090

6 AAC 25.700(b) is amended to read:

(b) A judicial officer subject to a retention election may provide the division with biographical information and statement that reflects the judicial officer's professional philosophy of not more than 150 words, and a candidacy advocate statement of not more than 250 words, for inclusion in the election pamphlet. All information to be published in the election pamphlet must be received by the division **no later than** [BY] August 7. A candidate may not make a change to the candidate's biographical information or candidacy advocate statement after the deadline. A candidate's candidacy advocate statement must be submitted typewritten or transmitted electronically. An article such as "a", "and", and "the" will be counted as one word.

6 AAC 25.700(c)(6) is amended to read:

(6) **Age** [DATE OF BIRTH];

(Eff. 8/22/2004, Register 171; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 15.15.010 AS 15.58.030

6 AAC 25.710(a) is amended to read:

**6 AAC 25.710. Statements advocating voter approval or rejection of initiatives or referendums.** (a) The division will include statements advocating voter approval or rejection of propositions in the election pamphlet. The division may offer authorship of the statement advocating voter approval of a proposition **to the prime sponsor and/or initiative committee.** [TO A PUBLICLY RECOGNIZED INDIVIDUAL OR ORGANIZATION WITH A STATED INTEREST IN THE PROPOSITION.] The division may offer authorship of the statement advocating voter rejection of a proposition **to a group that has organized and registered with the Alaska Public Offices Commission to oppose a ballot measure. If there is not an organized group, the division may offer authorship of the statement advocating voter rejection to a publicly recognized individual or organization with a stated interest in the proposition.** [TO A PUBLICLY RECOGNIZED INDIVIDUAL OR ORGANIZATION WITH A STATED INTEREST IN THE PROPOSITION.]

6 AAC 25.710 is amended by adding a new subsection to read:

(h) The Division of Elections is a neutral, public agency and takes no position on a statement advocating voter approval or rejection of initiatives or referendums. The division will provide a disclaimer to this effect printed on the bottom of each statement page. (Eff.

8/22/2004, Register 171; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 15.15.010 AS 15.58.020