

Byron Mallott  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
WWW.LTGOV.ALASKA.GOV




530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Brian Jackson  
Division of Elections

**FROM:** Scott Meriwether, Office of the Lieutenant Governor   
465.4081

**DATE:** January 11, 2018

**RE:** Filed Permanent Regulations: Office of the Governor

Division of Elections regulations re: administration of elections (6 AAC 25.010(d); 6 AAC 25.025(d); 6 AAC 25.027; 6 AAC 25.212; 6 AAC 25.240(l); 6 AAC 25.670(e); 6 AAC 25.720)

---

Attorney General File:	JU2017200727
Regulation Filed:	1/11/2018
Effective Date:	2/10/2018
Print:	225, April 2018

cc with enclosures: Linda Miller, Department of Law  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS  
OF THE DIVISION OF ELECTIONS

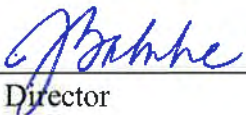
The attached 6 pages of regulations, dealing with the administration of elections, voter registration, how a candidate's name will appear on the ballot and a deadline for the submission of material for the official election pamphlet, are adopted and certified to be a correct copy of the regulation changes that the Division of Elections adopts under the authority of AS 15.15.010 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Division of Elections paid special attention to the cost to private persons of the regulatory action being taken.


The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 1/9/2018

  
\_\_\_\_\_  
Josie Bahnke, Director

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that<sup>1</sup> on January 11, 2018, at 8:55 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
\_\_\_\_\_  
Lieutenant Governor

Effective: February 10, 2018

Register: 225, April 2018

6 AAC 25.010(d) is amended to read:

(d) At the time the election supervisor provides identification badges, the election supervisor shall provide the division's *Guide for Poll Watchers*, revised as of **March 2016** [MAY 2013] and adopted by reference. The party committees, candidates in the primary election, and candidates not representing a political party in the general election, and groups sponsoring or opposing a ballot measure are responsible for the training of all poll watchers under their authority on the proper conduct of poll watchers according to the *Guide for Poll Watchers* and are responsible for the conduct of the poll watchers. (Eff. 10/1/74, Register 52; am 7/11/82, Register 83; am 8/22/2004, Register 171; am 5/14/2006, Register 178; am 4/25/2008, Register 186; am 2/28/2014, Register 209; am 2/10/2018, Register 225)

**Authority:** AS 15.10.170 AS 15.15.110 AS 15.15.170  
AS 15.15.010 AS 15.15.160

6 AAC 25.025(d) is amended to read:

(d) A registrar, while acting in an official capacity may

(1) assist an applicant with the completion of a voter registration application or absentee ballot application;

(2) provide information to the applicant on voter registration solely as set out in the division's *Registrar Handbook*, revised as of **February 2016** [JUNE, 2013] and adopted by reference;

(3) provide information to the applicant on absentee voting as provided by the division; or

(4) provide an absentee ballot application to the applicant.

(Eff. 7/17/88, Register 107; am 8/24/96, Register 139; am 8/22/2004, Register 171; am 5/14/2006, Register 178; am 4/25/2008, Register 186; am 2/28/2014, Register 209; am 2/10/2018, Register 225)

**Authority:** AS 15.07.070            AS 15.07.100            AS 15.07.200  
AS 15.07.081            AS 15.07.140

6 AAC 25.027(c) is amended to read:

(c) An individual may request registration or reregistration on behalf of a voter if the voter has executed a general power of attorney in accordance with AS 13.26.645 [AS 13.26.332] or a special power of attorney in accordance with 6 AAC 25.683 authorizing that individual to register the voter. In addition to the completed registration application and applicable identification [AND PROOF OF RESIDENCY DOCUMENTATION] for the voter, that individual must provide, for each registration or reregistration,

(1) identification as listed in (a) of this section; and

(2) a copy of the power of attorney authorizing the individual to register the voter on that voter's behalf.

6 AAC 25.027(d) is repealed:

(d) Repealed 2/10/2018.

6 AAC 25.027(e) is repealed:

(e) Repealed 2 / 10 / 2018.

6 AAC 25.027(h) is amended to read:

(h) The documentation provided under (c) of this section will be [MICROFILMED OR OTHERWISE] retained by the division as part of the voter's record.

6 AAC 25.027(i) is repealed:

(i) Repealed 2 / 10 / 2018. (Eff. 7/17/88, Register 107; am 8/24/96, Register 139; am 8/22/2004, Register 171; am 5/14/2006, Register 178; am 2/28/2014, Register 209; am 2 / 10 / 2018, Register 225)

<b>Authority:</b>	AS 15.05.010	AS 15.07.030	AS 15.07.070
	AS 15.05.011	AS 15.07.050	AS 15.07.195
	AS 15.05.020	AS 15.07.060	AS 15.15.225

6 AAC 25.212 is repealed and readopted to read:

**6 AAC 25.212. Appearance of candidate's name on the ballot.** (a) Subject to the limitations of AS 15.15.030 and the provisions of this section, a candidate's name will appear on a ballot in the manner in which the candidate has requested on that individual's candidacy filing paperwork submitted to the director.

(b) A candidate's name may not appear on a ballot

(1) with a designation of any academic, professional, personal, or honorary

degree or title held by a candidate; or

(2) in a manner that is confusing or misleading to voters or compromises the fairness or neutrality of the ballot.

(c) A candidate's nickname may appear on a ballot if the nickname

(1) is a name by which the candidate is commonly and generally known in the community; and

(2) does not imply any action or position the candidate intends to take if elected.

(d) Written notice of a candidate's request to change how the candidate's name appears on a ballot must be received by the director not later than the deadline for the candidate to withdraw from the election as provided under AS 15.25.055 for the primary election and AS 15.25.200 for the general election.

(e) A decision under this section will be made by the director based on a preponderance of the evidence and may be directly challenged in superior court. (Eff. 4/25/2008, Register 186; am 2/28/2014, Register 209; am 2 / 10 / 2018, Register 225)

**Authority:** AS 15.15.010 AS 15.15.030 [AS 15.15.130]

6 AAC 25.240(*l*) is repealed:

(*l*) Repealed 2 / 10 / 2018. (Eff. 8/6/87, Register 103; am 7/8/88, Register 107; am 7/17/88, Register 107; am 6/21/90, Register 115; am 8/12/90, Register 115; am 12/15/99, Register 153; am 8/13/2000, Register 155; am 8/22/2004, Register 171; am 5/14/2006, Register 178; am 4/25/2008, Register 186; am 2/28/2014, Register 209; am 2 / 10 / 2018, Register 225)

**Authority:** AS 15.15.010 AS 15.45.320 AS 15.45.560

Register 225, April 2018

GOVERNOR'S OFFICE

AS 15.45.090	AS 15.45.330	AS 15.45.570
AS 15.45.100	AS 15.45.350	AS 15.45.590
AS 15.45.120	AS 15.45.360	AS 15.45.600
AS 15.45.130	AS 15.45.370	AS 15.45.610
AS 15.45.140	AS 15.45.400	AS 15.45.640
AS 15.45.245	AS 15.45.465	

6 AAC 25.670(e) is amended to read:

(e) A voter who is eligible to use the federal write-in **absentee** ballot and who simultaneously applies for a ballot and votes using the federal write-in **absentee** ballot will not be sent the official ballot if the voted federal write-in **absentee** ballot is received by the division 45 days or less before a statewide primary, general, or special election. **If a federal write-in absentee ballot is incomplete for voting, the federal write-in absentee ballot will be processed following voter registration and absentee ballot application procedures.** If the voter simultaneously applies for a ballot and votes the federal write-in **absentee** ballot 46 or more days before a statewide primary, general, or special election, the division will process the application for a ballot and send an official ballot to the voter. (Eff. 8/12/90, Register 115; am 8/22/2004, Register 171; am 5/14/2006, Register 178; am 10/16/2009, Register 192; am 5/11/2012, Register 202; am 2/28/2014, Register 209; am 2/10/2018, Register 225)

**Authority:** AS 15.05.011 AS 15.15.360 AS 15.20.081  
AS 15.05.014 AS 15.15.365 AS 15.20.203  
AS 15.15.010

6 AAC 25 is amended by adding a new section to Article 4 to read:

**6 AAC 25.720. Language compliance deadline for submission of official election pamphlet material.** (a) If they want their materials for inclusion in the election pamphlet translated into the appropriate Alaska Native languages, candidates for federal or statewide office, for state senate in Senate Districts C, S, and T, for state representative in House Districts 6, 37, 38, 39, and 40, and for judicial retention for supreme court, court of appeals, and judicial districts 2, 3, and 4 must file all the candidates' information and comply with AS 15.58.030 at least 30 days before the applicable filing date in AS 15.58.030.

(b) If they want their materials for inclusion in the election pamphlet translated into the appropriate Alaska Native languages, other contributing entities to the election pamphlet, including state agencies and political parties, must file all the entities' information and comply with applicable provisions of AS 15.58.040 and 15.58.050 at least 30 days before the applicable filing dates in AS 15.58.040 and 15.58.050. (Eff. 2 / 10 / 2018, Register 225)

**Authority:** AS 15.15.010                      AS 15.58.040                      AS 15.58.090  
AS 15.58.030                      AS 15.58.050