

Chapter 4.05 Voter Qualifications

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4.05.010 Voter qualifications.

A person is qualified to vote in a municipal election who:

- a. Is a Citizen of the United States;
- b. Has passed his 18th birthday or is such other age as prescribed by law for voting in state elections;
- c. Has been a resident of the municipality for thirty days immediately preceding the election;
- d. Is registered to vote in State elections at a residence address within the municipality at least thirty days before the municipal election at which the person seeks to vote. (Ord. 95-1(S) (part), 1995; Ord. 89-25, 1989; Ord. 82-6 3, 1982).

4.05.020 Rules for Determining Residence of Voter.

For purposes of determining residence for voting, the place of residence is governed by the following rules:

- a. The residence of a person is that place in which habitation is fixed, and to which, whenever he is absent, he has intention to return. If a person resides in one place but does business in another, the former is the person's place of residence. Temporary camps do not constitute a dwelling place.
- b. A change of residence is made only by the act of removal joined with the intent to remain in another place. There can only be one residence.
- c. A person does not gain or lose his residence solely by reason of his presence while employed in the service of the United States or of this state, or while a student of an institution or asylum at public expense, or while confined in a public prison or while residing upon an Indian or military reservation, or while residing at the Alaska Pioneers Home.
- d. No member of the armed forces of the United States, his spouse or his dependent is a resident of this state solely by reason of being stationed in the state.
- e. A person does not lose his residence if he leaves his home and goes to another country, state, or place within this state for temporary purposes only and with the intention of returning.
- f. A person does not gain a residence in a place to which he comes without a present intent to establish a permanent dwelling there.
- g. A person loses his residence in this state if he votes in an election held in another state, and has not upon his return regained his residence in this state under the provisions of this chapter and state law.
- h. The term of residence is computed by including the day on which the person's residence commences and by excluding the day of the election. (Ord. 95-1(S) (part), 1995).

4.05.030 Registration.

a. No person may vote in an election unless he is a qualified voter under the Alaska State constitution and laws of Alaska and has prescribed by this chapter and has registered as required by the state election code and HCC

4.05.020.

b. The precinct election officials at any election shall allow a person to vote whose name is on the official registration list for that precinct and who is qualified under this chapter and AS 15.05. A person whose name is not on the official registration list shall be allowed to vote a questioned ballot. (Ord. 95-1(S) (part), 1995).

4.05.040 Voter Disqualification for Felony Conviction.

A person whose qualifications to vote have been questioned on the basis of a felony conviction must vote a questioned ballot. A person's vote shall not count where the voter has been convicted either by state courts of Alaska, by the courts of another state or by the federal courts of a felony involving a moral turpitude under Alaska law unless his civil rights have been restored by law or by proper authority in the jurisdiction in which the person was convicted. Felonies involving moral turpitude include, but are not limited to, the crimes of murder, rape,

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robbery, kidnaping, burglary, incest, and other crimes, which are punishable by imprisonment in the penitentiary under Alaska law and which involve conduct contrary to justice, honesty, modesty, or good morals. (Ord. 95-1(S) (part), 1995).

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