

### **What is “list maintenance?”**

List maintenance is the way the division makes sure that the list of registered voters is accurate and up-to-date. The division conducts the list maintenance process from December through February and at other times throughout the year. List maintenance is required by state and federal laws, which limit the division’s ability to remove voters from the voter list.

### **How does list maintenance work?**

In Alaska, the list maintenance process is described in AS 15.07.130. This law requires the division to mail two notices—one of which is returned as undeliverable—and wait eight years before removing a voter from the list.

Every year, the division mails notices to voters who have not voted for four years or contacted the division. Unless these voters respond to the mailer and ask to be removed, they remain registered.

The division then sends a second notice by forwardable mail, but only if the first notice is returned to the division as undeliverable. If the voter does not reply to the second notice within 45 days, the voter’s registration is inactivated. The division can only remove these voters from the list if they do not vote or contact the division for another two general elections. The division removes these voters from the list in February of every year.

Along with this process, the division removes voters whenever:

- They asked to be removed
- They have died
- They are convicted of a felony involving moral turpitude
- They have registered in another state, according to information from that state

### **What happens when a voter does not vote?**

Voters cannot be removed from the list of registered voters just because they do not vote. They must also ask to be removed or fail to respond to the notices the division mails as part of the list maintenance process.

### **What happens when a voter moves?**

Voters cannot be removed from the list of registered voters just because they seem to have moved to another state. Voters should contact the division and cancel their registration when they move. If they do not, the division can only remove voters when they contact the division or when the other state tells the division they have registered there.

### **What happens when a voter dies?**

When the division determines that a voter has died, it removes the voter from the list of active voters. The division makes this determination based on records from Alaska’s Health Analytics and Vital Records, the Electronic Registration Information Center (ERIC), and other sources, like obituaries.

### **\*Why are there so many registered voters?**

The number of registered voters in Alaska is explained by multiple state\* and federal laws.

1. Those who apply for Permanent Fund Dividends are automatically registered to vote unless they opt out.
2. Voters may also register at the Department of Motor Vehicles.
3. If someone becomes registered but does not vote and does not contact the division, it can take at least eight years and the return of undeliverable mail to remove them from the voter list. Alaska's list maintenance law requires more steps to remove a voter than the federal list maintenance law, the National Voter Registration Act.
4. Additionally, voters can remain residents in Alaska even if they live somewhere else, if they intend to return to Alaska.
5. The division must assume that voters reside at the addresses they give the division, unless the voters contact the division in writing. These residency rules are described in AS 15.05.020. 7.
6. Voters in the military and overseas can remain registered and vote in some elections even if they do not intend to return to Alaska.

While Alaska's voter list may be extensive, the division has no reason to believe that has led to any instances of voter fraud sufficient to change the results of any elections.

### **What are "inactive" voters?**

Inactive voters are not on the list of active registered voters or on the lists of voters at polling places. Inactive voters cannot vote normal ballots. They must vote a questioned ballot which is then reviewed and only counted to the extent allowed by law.

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### **\* AK Statutes:**

1. **AS 15.07.070. Procedure for registration.** (i) The division shall register voters who submit an application to receive a permanent fund dividend in accordance with (j) – (m) of this section.
2. **AS 15.07.055 Voter Registration agencies:** (1) the administrative component of the Department of Administration that administers motor vehicle and driver's license laws;
3. **AS 15.07.130. Voter registration list maintenance.** (a) Periodically...no less frequently than in January of each calendar year, the director...shall send, by nonforwardable mail to the voter's registration mailing address, a notice requesting address confirmation or correction to each voter
  - i. (1) whose mail from the division has been returned to the division in the two years immediately preceding the examination of the register;
  - ii. (2) who has not contacted the division in the two years immediately preceding the examination of the register; or
  - iii. (3) who has not voted or appeared to vote in the two general elections immediately preceding the examination of the register.
- b. If a registered voter has not within the preceding four calendar years, contacted the division and has neither voted nor appeared to vote in a local, regional school board, primary, special, or general election during the last four calendar years and a notice sent to the voter under (a) of this section was returned as undeliverable, the voter shall be

advised by a notice sent by forwardable mail to the voter's last known address that registration will be inactivated unless the voter responds to the notice no later than 45 days after the notice sent under this section.

4. **AS 15.05.020. Rules for determining residence of voter.** (2) The residence of a person is that place in which the person's habitation is fixed, and to which, whenever absent, the person has the intention to return.
5. **AS 15.05.020. Rules for determining residence of voter.** (8) The address of a voter as it appears on the official voter registration record is presumptive evidence of the person's voting residence. This presumption is negated only if the voter notifies the director in writing of a change of voting residence.
6. **AS 15.05.011. Qualifications of overseas voters. AS 15.05.020.** (1) A person may not be considered to have gained a residence solely by reason of presence nor may a person lose it solely by reason of absence while in the civil or military service of this state or of the United States or of absence because of marriage to a person engaged in the civil or military service of this state or the United States....