

ALASKA LEGISLATURE

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Sectional Analysis | CSHB 83(STA) AM(EFD DEL)

HB 83 amends AS 15.20.066(a), the section of statute that describes electronic transmission of ballots to forbid facsimile return of ballots in Alaska state elections, except in the case of uniformed service voters and their families. It also repeals AS 15.20.066(b), which relates to oaths and waivers for ballots returned electronically.

Section 1.

- Page 1, lines 7, 8, 10, and 12: The word “must” is moved to the start of subsections (1), (2) and (3).
- Page 1, lines 12-13: New language specifies that a voter must be able to receive a ballot via facsimile.
- Page 1, lines 14-15: New language prohibits the return of ballots by facsimile, unless that voter is an absent uniformed service voter.

Section 2.

- Page 2, lines 1-3: Defines “absent uniformed services voter” using the definition in federal code.

U.S.C. §20310. Definitions

As used in this chapter, the term-

(1) "absent uniformed services voter" means-

(A) a member of a uniformed service on active duty who, by reason of such active duty, is absent from the place of residence where the member is otherwise qualified to vote;

(B) a member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote; and

(C) a spouse or dependent of a member referred to in subparagraph (A) or (B) 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.

Section 3.

- Page 2, line 4: AS 15.20.066(b), which deals with oaths and waivers related to the electronic return of ballots, is repealed.
 - Note: HB83 was amended on the House Floor, adding an exemption for absent uniformed service voters. As a result it may be best policy to retain the language deleted by Section 3 in the current version of the bill. We have requested a memorandum from Legislative Legal on this subject and will forward that to accompany the bill packet once it is received.