

Stuart Relay

From: Susan A [REDACTED]
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To: House State Affairs
Subject: Public Testimony on HB 21

Regarding HB 21: Voter Preregistration for minors

Chairperson and members of the committee, thank you for the opportunity to testify today. My name is Susan Allmeroth, and I am here to provide testimony regarding **House Bill 21 (HB 21), which allows voter preregistration for 16- and 17-year-olds while making their records confidential until they turn 18.**

While I support efforts to **increase civic engagement and voter participation among young Alaskans**, I urge this committee to carefully consider the **legal, constitutional, and administrative concerns** present in this bill. I also propose amendments to strengthen the bill, ensuring it complies with the **Alaska Constitution, existing election laws, and principles of election integrity.**

Concerns and Issues with HB 21

1. Potential Constitutional Issues

Alaska Constitution, Article V, Section 1 states that only citizens **18 years or older** may vote. While **preregistration does not grant immediate voting rights**, opponents may argue that allowing **preregistration before meeting all constitutional requirements undermines the intent of the provision.**

To avoid potential legal challenges, the bill should explicitly **state that preregistration does not create a right to vote before the age of 18.**

Equal Protection Under the U.S. Constitution (14th Amendment): The bill makes **preregistered minors' records confidential but does not extend the same protections to adult voters.** This creates a **potential equal protection issue**, as similarly situated individuals (registered voters) are treated differently **without clear justification.**

2. Conflicts with Existing Election Laws

AS 15.07.060(a) currently requires that a voter must be **within 90 days of turning 18 to register.** HB 21 **modifies this to two years for preregistration**, creating two **different registration standards** that could lead to legal and administrative confusion.

The bill does not clarify **how preregistered minors update their information** if they move,

change names, or become otherwise ineligible before turning 18.

Alaska's Automatic Voter Registration (AVR) system through the **Permanent Fund Dividend (PFD)** does not currently account for preregistration. **If a preregistered minor later applies for a PFD, it is unclear how their record will be processed**, which could result in **duplicate or conflicting voter registrations**.

3. Loopholes and Unintended Consequences

The bill requires **automatic activation of preregistered voters 90 days before their 18th birthday**, which places an **administrative burden** on the Division of Elections to track and process preregistrants in a timely manner.

Lack of Public Verification: The confidentiality provision prevents **election integrity groups and the public from verifying the legitimacy of preregistrations**. This could create **opportunities for fraudulent or unauthorized voter registrations** that are difficult to detect.

Ambiguity in Confidentiality Rules: The bill does not specify whether confidentiality **expires when the voter turns 18**. This could lead to **discrepancies in voter records**, where some newly registered voters' information is public, while others remain confidential.

Proposed Amendments to Strengthen HB 21

To **align HB 21 with the Alaska Constitution and existing election laws**, I recommend the following amendments:

1. Address Potential Constitutional Challenges

Amend Section 1(b) to explicitly state:

"Preregistration under this section does not grant the right to vote before reaching the age of 18, in accordance with Article V, Section 1 of the Alaska Constitution."

This amendment ensures that preregistration **remains legally distinct from voter registration** and does not violate constitutional provisions.

2. Clarify Voter Registration Procedures

Require preregistered minors to update their voter information if they move before turning 18, just as registered voters must update their information under **AS 15.07.060**.

Align preregistration with Alaska's Automatic Voter Registration (AVR) System by ensuring that preregistered minors **are not automatically enrolled** through their PFD applications before they turn 18.

3. Modify Confidentiality Provisions for Transparency

Instead of making **preregistered minors' addresses and phone numbers entirely confidential**, amend the bill to:

Allow **authorized election officials and nonpartisan election integrity groups** to verify preregistration records.

Clarify that **confidentiality expires when the individual turns 18**, ensuring **equal treatment of all registered voters**.

Amend Section 2(e) to state:

"The address and telephone number of a preregistered minor shall be protected from public disclosure until the individual reaches 18 years of age, at which time their voter registration record shall be subject to the same public disclosure laws as all other registered voters."

4. Ensure Administrative Feasibility

Require the **Division of Elections to submit a cost estimate and implementation plan** before enacting the preregistration system.

Allow for a **phased rollout** to ensure election officials can properly track and process preregistered voters.

Summary

While I support the effort to **increase voter engagement among young Alaskans**, HB 21 requires **key amendments** to ensure it:

1. Complies with the Alaska Constitution

2. Maintains election integrity

3. Aligns with existing voter registration procedures

4. Minimizes administrative burdens on election officials

I urge the committee to **adopt the proposed amendments** to address **constitutional concerns, procedural clarity, and transparency** while preserving the intent of the bill.

There are some potential **criminal issues** that could arise from HB 21, especially concerning **voter fraud, misuse of confidential information, and administrative errors**. Below are some **criminal concerns** that should be addressed, as well as **suggested amendments**:

Criminal Concerns:

1. Voter Fraud and Misrepresentation

Preregistration could increase the risk of fraudulent activity if individuals attempt to preregister minors who do not meet the criteria (such as falsifying age or identity).

Even though the bill states preregistration does not equate to voting rights, **criminal behavior** could involve a person attempting to manipulate a preregistered voter's records to vote before the individual turns 18.

Suggestion: Add language in the bill to **penalize fraudulent preregistration** attempts.

Proposed Amendment:

Insert a new section:

"Any individual who willfully and knowingly provides false information to preregister a person under 18 years of age for voting purposes is subject to criminal penalties, including but not limited to fines and imprisonment, as outlined under AS 15.56.030 (False Swearing)."

2. Misuse of Confidential Preregistration Data

The **confidentiality provisions** in Section 2 of the bill raise concerns about the **unauthorized access and misuse of preregistration data** for criminal or partisan purposes. If an individual or group were to illegally access the **preregistration records** of minors, it could be used for unethical targeting, identity theft, or voter suppression activities.

Suggestion: Define and penalize **unauthorized access** to preregistration data.

Proposed Amendment:

Insert a new section:

"Unauthorized access, use, or disclosure of preregistration records of minors shall be punishable by criminal penalties, including but not limited to fines, imprisonment, or both, in accordance with AS 11.61.110 (Criminal Computer Crime) and AS 15.56.030 (False Swearing)."

3. Administrative Errors or Noncompliance

Improper handling of preregistration records could lead to individuals being **automatically registered before their 18th birthday**, which could lead to **unintended voting** by someone underage. While this would not constitute fraud, it could be a **criminal violation** of state election laws if it results in an ineligible person voting.

Suggestion: The bill should clarify penalties for the **mismanagement or inadvertent registration** of ineligible voters due to errors in the preregistration system.

Proposed Amendment:

Insert a new section:

“If the Division of Elections fails to prevent the registration of a person under 18 years of age due to errors in the preregistration system, the department shall be subject to administrative review, and if the error results in an illegal vote, penalties under AS 15.56.050 (Tampering with Voter Registration) may apply.”

4. Identity Theft or Fraudulent Preregistration by Adults

Adults or third parties could attempt to manipulate the preregistration system to **preregister ineligible minors**, potentially using stolen identities or forging documents. This is not only a **voter fraud issue**, but could also fall under broader **identity theft** laws.

Suggestion: Add penalties for **fraudulent registration by third parties** who engage in identity theft or falsify documents.

Proposed Amendment:

Insert a new section:

“Any individual who engages in fraudulent activity to preregister a minor, including but not limited to **identity theft**, falsification of documents, or use of unauthorized means to influence voter registration, shall be subject to penalties under AS 11.61.200 (Identity Theft) and AS 15.56.030 (False Swearing).”

Criminal Penalties Recap:

The following sections should be added to HB 21 to address **criminal penalties** and **deterrence** for criminal behavior surrounding preregistration:

Fraudulent Preregistration

“Any individual who willfully and knowingly provides false information to preregister a person under 18 years of age for voting purposes is subject to criminal penalties, including but not limited to fines and imprisonment, as outlined under AS 15.56.030 (False Swearing).”

Unauthorized Access to Confidential Data

“Unauthorized access, use, or disclosure of preregistration records of minors shall be punishable by criminal penalties, including but not limited to fines, imprisonment, or both, in accordance with AS 11.61.110 (Criminal Computer Crime) and AS 15.56.030 (False Swearing).”

Penalties for Registration Errors

“If the Division of Elections fails to prevent the registration of a person under 18 years of age due to errors in the preregistration system, the department shall be subject to administrative review, and if the error results in an illegal vote, penalties under AS 15.56.050 (Tampering with Voter Registration) may apply.”

Fraudulent Preregistration by Third Parties

“Any individual who engages in fraudulent activity to preregister a minor, including but not limited to **identity theft**, falsification of documents, or use of unauthorized means to influence voter registration, shall be subject to penalties under AS 11.61.200 (Identity Theft) and AS 15.56.030 (False Swearing).”

Overall Conclusion

These criminal amendments would ensure that HB 21 not only **encourages voter engagement** but also **upholds the integrity of the electoral process** by **penalizing potential fraudulent actions and misuse of confidential information**. Thank you again for your time, and I urge the committee to consider these additions as part of HB 21’s progression. If we want our children to be treated as adults then they must understand the consequences of their [actions.Voting](#) is a sacred right, and it only a Republic if we can keep it.

Thank you for your time and consideration. I am happy to answer any questions.

Respectfully submitted,

Susan Allmeroth

Two Rivers

Myself