



March 9, 2023

Dear Chairman Shaw and esteemed members of the House State Affairs Committee,

I am writing on behalf of Secure Democracy USA to express our strong support for House Bill 37. Building on bipartisan proposals introduced last session, HB 37 would strengthen election security, enhance election transparency, and help ensure that all eligible Alaskans have the freedom to vote how they choose. We therefore respectfully encourage you to support this important legislation.

Secure Democracy USA is a national, nonpartisan nonprofit that works across the aisle with state leaders, election administrators, and policy experts to build confidence in our elections and improve voter access across the United States. We believe that strengthening election security and guaranteeing that every eligible citizen has the freedom to exercise their right to vote are not mutually exclusive. In fact, the best way to build confidence and trust in our elections is by advancing the policies contained in HB 37 that achieve both of these objectives at the same time.

First, HB 37 would strengthen election security and transparency. Current law requires an absentee voter's ballot certificate to be notarized or witnessed, which is unnecessarily burdensome – particularly for rural and senior voters – compared to other, equally effective forms of ballot verification. Under HB 37, the Division of Elections would instead verify absentee ballots by matching a voter's signature to the signature in their voter registration file – the most common and trusted way to verify absentee ballots nationwide. Alaska is one of only 11 states that require voters to obtain a witness or notary signature before returning their ballot envelope. Replacing this burdensome witness/notary requirement with more effective signature matching is an excellent improvement that would make voting more accessible to Alaskans, without sacrificing election security.

Furthermore, HB 37 strengthens election transparency by requiring the Division of Elections to expand its absentee ballot tracking system. The comprehensive, free, online, mobile-friendly ballot tracking system created by this proposal would allow voters to confirm that their absentee ballot was sent by the Division, track its delivery to the voter, and confirm that the completed ballot was returned and counted.

Second, HB 37 would help ensure that every eligible voter will have their ballot counted by creating a uniform, statewide cure process. Cure processes allow elections officials to contact voters to correct common, honest mistakes on their absentee ballots, such as a missing signature. Not only does this measure assure Alaska voters that their ballot will be counted, but it also gives elections officials another security check to identify and address any cases of actual fraud or illegal voting. Currently, 31 states across the political spectrum – including large western and rural states like Montana, Utah, and North Dakota – notify and give voters the opportunity to cure ballots with minor mistakes.

The absence of a uniform, statewide cure process contributed to unacceptably high absentee ballot rejection rates in Alaska's elections in 2022, and has left the state vulnerable to Due Process and Equal Protection challenges under the U.S. Constitution. Combining signature verification with a cure process, as HB 37 does, is widely regarded as a best practice in election administration, and would greatly benefit election security and voter access.

Finally, HB 37 proposes important modernizations that will allow Alaskans to more conveniently access their freedom to vote. Among other updates, the bill improves language accessibility; expands Alaska's existing same-day voter registration system; creates an absentee voter list that allows voters who prefer to vote by mail or are unable to vote in person to apply once and then continue to receive absentee ballots for future elections without the need to re-apply; and provides postage-paid return envelopes to absentee voters.

Every eligible voter should have the freedom to cast their ballot securely and conveniently, the confidence to know their vote was counted, and the certainty that reported election results are accurate and trustworthy. HB 37 will bring Alaska's election system in line with best practices for security, transparency, access, and accountability. In doing so, we strongly believe this legislation will strengthen the public's confidence in Alaska's elections.

We would be happy to provide the committee with any additional information, including the enactment and implementation of similar provisions in other states. We respectfully encourage you to support this important bill.

Sincerely,



Peter Skopec
Director of Advocacy
Secure Democracy USA