AMENDMENT # 27

OFFERED IN THE SENATE   BY SENATOR KIEHL

TO: CSSB 39(JUD), Draft Version "D"

1   Page 24, line 22, through page 25, line 2:

2   Delete all material and insert:

3   "* **Sec. 50.** AS 15.56.080(a) is amended to read:

4   (a) A person commits the crime of election official misconduct in the second

5   degree if while an election official, and while the polls are open, the person

6   (1) opens a ballot received from a voter at an election, unless permitted

7   by ordinance in a local election;

8   (2) marks a ballot by folding or otherwise so as to be able to recognize

9   it;

10   (3) otherwise attempts to learn how a voter marked a ballot; [OR]

11   (4) allows a person to do one of the acts prescribed by (1), (2), or (3) of

12   this subsection; **or**

13   **(5) knowingly discloses, shares, or reports to a person who is not**

14   **an election official election results, returns, or any confidential election data**

15   **before the polls close on election day**."

16

17   Page 26, line 17:

18   Delete "AS 15.56.070(a)"

19   Insert "AS 15.56.080(a)"

AMENDMENT #28

OFFERED IN THE SENATE   BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 25, line 7, following **"Cybersecurity."**:

2   Insert "(a)"

3

4   Page 25, following line 11:

5   Insert a new subsection to read:

6   "(b) The director shall develop a list of registered voters whose numerical

7   identifiers have been released in a breach of data maintained by the division. Upon

8   request, the director shall provide the list to a poll watcher."

AMENDMENT #1 to #28

OFFERED IN THE SENATE   BY SENATOR KIEHL

TO: Amendment D.6 to CSSB 39(JUD), Draft Version "D"

1   Page 1, lines 6 - 8 of the amendment:

2   Delete all material and insert:

3   "(b) The director shall develop a nonpublic list of registered voters whose

4   numerical identifiers have been released in a breach of data maintained by the division

5   and shall exercise caution to protect election integrity."

AMENDMENT $29

OFFERED IN THE SENATE   BY SENATOR KIEHL

TO: CSSB 39(JUD), Draft Version "D"

 1   Page 25, line 15:

 2   Delete "$15.00 an hour"

 3   Insert "$4.66 more an hour than the minimum wage required by AS 23.10.065"

 4

 5   Page 25, line 17:

 6   Delete "$15.50 an hour"

 7   Insert "$5.16 more an hour than the minimum wage required by AS 23.10.065"

 8

 9   Page 25, line 19:

10   Delete "$15.00 an hour"

11   Insert "$4.66 more an hour than the minimum wage required by AS 23.10.065"

12

13   Page 25, line 22:

14   Delete "$15.50 an hour"

15   Insert "$5.16 more an hour than the minimum wage required by AS 23.10.065"

16

17   Page 25, line 24:

18   Delete "$15.00 an hour"

19   Insert "$4.66 more an hour than the minimum wage required by AS 23.10.065"

20

21   Page 25, line 27:

22   Delete "$12.50 an hour"

23   Insert "$2.16 more an hour than the minimum wage required by AS 23.10.065"

AMENDMENT #30

OFFERED IN THE SENATE

BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 26, line 26:

2   Delete "2028"

3   Insert "2024"

AMENDMENT　#31

OFFERED IN THE SENATE　　　　　　　　BY SENATOR HOLLAND

TO: CSSB 39(JUD), Draft Version "D"

1　Page 8, line 26:

2　　　Delete "absentee"

3　　　Insert "early"

4

5　Page 25, line 19:

6　　　Delete "boards"

7　　　Insert "board members"

8

9　Page 25, line 20:

10　　　Delete "boards"

11　　　Insert "board members"

12

13　Page 25, line 22:

14　　　Delete the first occurrence of "absentee"

15　　　Insert "early"

16　　　Delete the second occurrence of "absentee"

17　　　Insert "early voting"

#32

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR HOLLAND

TO: CSSB 39(JUD), Draft Version "D"

1   Page 1, line 1, following "**of**":

2   Insert "**voter misconduct,**"

AMENDMENT #33

OFFERED IN THE SENATE

BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 22, lines 1 - 13:

2   Delete all material and insert:

3   "* Sec. 45. AS 15.20.910 is amended to read:

4   **Sec. 15.20.910. Standards for voting machines and vote tally systems.** The

5   director may approve a voting machine or vote tally system for use in an election in

6   the state upon consideration of factors relevant to the administration of state elections.

7   **A** [, INCLUDING WHETHER THE FEDERAL ELECTION COMMISSION HAS

8   CERTIFIED THE VOTING MACHINE OR VOTE TALLY SYSTEM TO BE IN

9   COMPLIANCE WITH THE VOTING SYSTEM STANDARDS APPROVED BY

10   THE FEDERAL ELECTION COMMISSION AS REQUIRED BY 42 U.S.C.

11   15481(a)(5) (HELP AMERICA VOTE ACT OF 2002). THE DIRECTOR MAY

12   ONLY APPROVE A] voting machine or vote tally system **must meet the United**

13   **States Election Assistance Commission's voluntary voting system guidelines and**

14   **be certified by the commission, have open-source software technology, and satisfy**

15   [IF THE MACHINE OR SYSTEM SATISFIES] the requirements of AS 15.15.032(c).

16   **In this section, "open-source software technology" means the complete source**

17   **code for the software is available to the public, under the terms of a license, to**

18   **use, modify, or distribute freely without payment of royalties or other**

19   **consideration.**"

20

21   Page 26, line 26:

22   Delete "2028"

23   Insert "2024"

AMENDMENT #34

OFFERED IN THE SENATE

BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 5, following line 18:

2   Insert a new bill section to read:

3   "* **Sec. 9.** AS 15.07 is amended by adding a new section to read:

4   **Sec. 15.07.128. Voter fraud mitigation policy.** It is the policy of the state to

5   reduce voting fraud by using reasonable and affordable tools and technology to

6   mitigate the potential for voting fraud, including for the reviews of voter registration

7   applications and the master register for the names of the deceased, felons ineligible to

8   vote, non-citizens, and individuals voting unlawfully."

9

10   Renumber the following bill sections accordingly.

11

12   Page 26, line 15:

13   Delete "sec. 46"

14   Insert "sec. 47"

15

16   Page 26, line 16:

17   Delete "sec. 47"

18   Insert "sec. 48"

19   Delete "sec. 48"

20   Insert "sec. 49"

21

22   Page 26, line 17:

23   Delete "sec. 49"

1   Insert "sec. 50"

2

3   Page 26, line 18:

4   Delete "sec. 50"

5   Insert "sec. 51"

6

7   Page 26, lines 18 - 19:

8   Delete "secs. 46 - 50"

9   Insert "secs. 47 - 51"

10

11   Page 26, line 26:

12   Delete "Section 45"

13   Insert "Section 46"

14

15   Page 26, line 27:

16   Delete "Section 58"

17   Insert "Section 59"

18

19   Page 26, line 28:

20   Delete "secs. 59 and 60"

21   Insert "secs. 60 and 61"

AMENDMENT ⫻35

OFFERED IN THE SENATE   BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 5, following line 18:

2   Insert a new bill section to read:

3   "* **Sec. 9.** AS 15.07.130(a) is amended to read:

4   (a)   Periodically, at times of the director's choosing, but **not** [NO] less

5   frequently than in January of each calendar year, the director shall examine the master

6   register maintained under AS 15.07.120 and shall send, by nonforwardable mail to the

7   voter's registration mailing address, a notice requesting address confirmation or

8   correction to each voter

9   (1)   whose mail from the division has been returned to the division in

10   the two years immediately preceding the examination of the register;

11   (2)   who has not contacted the division in the two years immediately

12   preceding the examination of the register; [OR]

13   (3)   who has not voted or appeared to vote in the two general elections

14   immediately preceding the examination of the register; **or**

15   **(4)   who does not live in the state.**"

16

17   Renumber the following bill sections accordingly.

18

19   Page 5, line 27:

20   Delete "a new subsection"

21   Insert "new subsections"

22

23   Page 6, line 8, following "system,":

1   Insert "municipal assessor databases, the United States Social Security Administration

2   death index, an alien database maintained by the United States Department of Homeland

3   Security,"

4

5   Page 6, following line 8:

6   Insert new subsections to read:

7   "(h) The director shall adopt a best practice voter registration system to

8   improve identity matching when comparing voter registration lists with the records

9   and databases used to review the master register. The director shall develop a written

10   maintenance schedule and guideline manual for the system and provide a report on the

11   system to the senate secretary and the chief clerk of the house of representatives on or

12   before the first day of the first regular session of each legislature and shall notify the

13   legislature that the report is available.

14   (i) The director shall, in a notice sent under (a) of this section, inform a voter

15   of the criteria to qualify as a voter and the penalties for voter fraud and voter

16   misconduct."

17

18 Page 26, line 15:

19   Delete "sec. 46"

20   Insert "sec. 47"

21

22 Page 26, line 16:

23   Delete "sec. 47"

24   Insert "sec. 48"

25   Delete "sec. 48"

26   Insert "sec. 49"

27

28 Page 26, line 17:

29   Delete "sec. 49"

30   Insert "sec. 50"

31

1   Page 26, line 18:

2   Delete "sec. 50"

3   Insert "sec. 51"

4

5   Page 26, lines 18 - 19:

6   Delete "secs. 46 - 50"

7   Insert "secs. 47 - 51"

8

9   Page 26, line 26:

10   Delete "Section 45"

11   Insert "Section 46"

12

13   Page 26, line 27:

14   Delete "Section 58"

15   Insert "Section 59"

16

17   Page 26, line 28:

18   Delete "secs. 59 and 60"

19   Insert "secs. 60 and 61"

AMENDMENT ☒36

OFFERED IN THE SENATE   BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 13, following line 16:

2   Insert new bill sections to read:

3   "* **Sec. 30.** AS 15.20.066(a) is amended to read:

4   (a) The director shall adopt regulations applicable to the delivery of absentee

5   ballots by electronic transmission in a state election [AND TO THE USE OF

6   ELECTRONIC TRANSMISSION ABSENTEE VOTING IN A STATE ELECTION

7   BY QUALIFIED VOTERS]. The regulations must **create a system to verify a**

8   **voter's identity and**

9   [(1)   REQUIRE THE VOTER TO COMPLY WITH THE SAME

10   TIME DEADLINES AS FOR VOTING IN PERSON ON OR BEFORE THE

11   CLOSING HOUR OF THE POLLS;

12   (2)]   ensure the accuracy and, to the greatest degree possible, the

13   **security,** integrity, and secrecy of the ballot process.

14   * **Sec. 31.** AS 15.20.066 is amended by adding a new subsection to read:

15   (c) A voter may cast a ballot delivered by electronic transmission under

16   AS 15.20.081(d) - (f)."

17

18   Renumber the following bill sections accordingly.

19

20   Page 18, line 2:

21   Delete "or electronic transmission"

22   Insert "[OR ELECTRONIC TRANSMISSION]"

23

1   Page 26, line 11, following "**Sec. 56.**":

2   Insert "AS 15.20.066(b);"

3

4   Page 26, line 15:

5   Delete "sec. 46"

6   Insert "sec. 48"

7

8   Page 26, line 16:

9   Delete "sec. 47"

10   Insert "sec. 49"

11   Delete "sec. 48"

12   Insert "sec. 50"

13

14   Page 26, line 17:

15   Delete "sec. 49"

16   Insert "sec. 51"

17

18   Page 26, line 18:

19   Delete "sec. 50"

20   Insert "sec. 52"

21

22   Page 26, lines 18 - 19:

23   Delete "secs. 46 - 50"

24   Insert "secs. 48 - 52"

25

26   Page 26, line 26:

27   Delete "Section 45"

28   Insert "Section 47"

29

30   Page 26, line 27:

31   Delete "Section 58"

1   Insert "Section 60"

2

3   Page 26, line 28:

4   Delete "secs. 59 and 60"

5   Insert "secs. 61 and 62"

AMENDMENT $\#31$

OFFERED IN THE SENATE   BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 14, line 19:

2   Delete "**shall** [MAY NOT]"

3   Insert "may not"

AMENDMENT ☒38

OFFERED IN THE SENATE   BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 8, line 16, following "title.":

2   Insert "A signed ballot chain-of-custody document must accompany a ballot or group

3   of ballots in the division's possession. An election official shall sign the document

4   immediately upon receiving or releasing a ballot or group of ballots."

AMENDMENT #39

OFFERED IN THE SENATE   BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 10, line 8, following "or":

2   Insert "for perjury under"

AMENDMENT X 40

OFFERED IN THE SENATE   BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 19, line 1, following "establish":

2   Insert "or procure"

3

4   Page 19, line 2:

5   Delete ", available through the division's Internet website,"

6

7   Page 19, line 17, following "established":

8   Insert "or procured"

9

10   Page 19, line 24, following "establishing":

11   Insert "or procuring"

AMENDMENT ⅄4\

OFFERED IN THE SENATE   BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 22, lines 1 - 13:

2   Delete all material and insert:

3   "* **Sec. 45.** AS 15.20.910 is amended to read:

4   **Sec. 15.20.910. Standards for voting machines and vote tally systems.** The

5   director may approve a voting machine or vote tally system for use in an election in

6   the state upon consideration of factors relevant to the administration of state elections.

7   **A** [, INCLUDING WHETHER THE FEDERAL ELECTION COMMISSION HAS

8   CERTIFIED THE VOTING MACHINE OR VOTE TALLY SYSTEM TO BE IN

9   COMPLIANCE WITH THE VOTING SYSTEM STANDARDS APPROVED BY

10   THE FEDERAL ELECTION COMMISSION AS REQUIRED BY 42 U.S.C.

11   15481(a)(5) (HELP AMERICA VOTE ACT OF 2002). THE DIRECTOR MAY

12   ONLY APPROVE A] voting machine or vote tally system **must meet the United**

13   **States Election Assistance Commission's voluntary voting system guidelines and**

14   **be certified by the commission, use only open-source software technology or**

15   **commercial off-the-shelf software and firmware, and satisfy** [IF THE MACHINE

16   OR SYSTEM SATISFIES] the requirements of AS 15.15.032(c).

17   * **Sec. 46.** AS 15.20.910 is amended by adding a new subsection to read:

18   (b) In this section,

19   (1) "commercial off-the-shelf" means mass-produced, commercially

20   available hardware devices, including card readers, printers, scanners, or

21   personal computers, and the firmware or software products of the hardware

22   devices, including operating systems or database management systems;

23   (2) "open-source software technology" means the complete source code

L   -1-   Drafted by Legal Services

1   for the software is available to the public, under the terms of a license, to use,

2   modify, or distribute freely without payment of royalties or other

3   consideration."

4

5   Page 26, line 15:

6   Delete "sec. 46"

7   Insert "sec. 47"

8

9   Page 26, line 16:

10   Delete "sec. 47"

11   Insert "sec. 48"

12   Delete "sec. 48"

13   Insert "sec. 49"

14

15   Page 26, line 17:

16   Delete "sec. 49"

17   Insert "sec. 50"

18

19   Page 26, line 18:

20   Delete "sec. 50"

21   Insert "sec. 51"

22

23   Page 26, lines 18 - 19:

24   Delete "secs. 46 - 50"

25   Insert "secs. 47 - 51"

26

27   Page 26, line 26:

28   Delete "2028"

29   Insert "2024"

30

31   Page 26, line 27:

1   Delete "Section 58"

2   Insert "Section 59"

3

4   Page 26, line 28:

5   Delete "secs. 59 and 60"

6   Insert "secs. 60 and 61"

AMENDMENT # 42

OFFERED IN THE SENATE

BY SENATOR SHOWER

TO: CSSB 39(JUD), Draft Version "D"

1   Page 13, following line 16:

2   Insert a new bill section to read:

3   "* Sec. 30. AS 15.20.066(a) is amended to read:

4   (a) The director shall adopt regulations applicable to the delivery of absentee

5   ballots by electronic transmission in a state election and to the **return by mail of**

6   **ballots delivered by** [USE OF] electronic transmission [ABSENTEE VOTING IN A

7   STATE ELECTION BY QUALIFIED VOTERS]. The regulations must **create a**

8   **system to verify a voter's identity, include procedures for return by mail of**

9   **ballots delivered by electronic transmission, and**

10   [(1)   REQUIRE THE VOTER TO COMPLY WITH THE SAME

11   TIME DEADLINES AS FOR VOTING IN PERSON ON OR BEFORE THE

12   CLOSING HOUR OF THE POLLS;

13   (2)]   ensure the accuracy and, to the greatest degree possible, the

14   **security,** integrity, and secrecy of the ballot process."

15

16   Renumber the following bill sections accordingly.

17

18   Page 18, line 2:

19   Delete "or electronic transmission"

20   Insert "[OR ELECTRONIC TRANSMISSION]"

21

22   Page 26, line 11, following "Sec. 56.":

23   Insert "AS 15.20.066(b);"

1

2 Page 26, line 15:

3 Delete "sec. 46"

4 Insert "sec. 47"

5

6 Page 26, line 16:

7 Delete "sec. 47"

8 Insert "sec. 48"

9 Delete "sec. 48"

10 Insert "sec. 49"

11

12 Page 26, line 17:

13 Delete "sec. 49"

14 Insert "sec. 50"

15

16 Page 26, line 18:

17 Delete "sec. 50"

18 Insert "sec. 51"

19

20 Page 26, lines 18 - 19:

21 Delete "secs. 46 - 50"

22 Insert "secs. 47 - 51"

23

24 Page 26, line 26:

25 Delete "Section 45"

26 Insert "Section 46"

27

28 Page 26, line 27:

29 Delete "Section 58"

30 Insert "Section 59"

31

1   Page 26, line 28:

2   Delete "secs. 59 and 60"

3   Insert "secs. 60 and 61"