

**ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE**

January 20, 2005

3:32 p.m.

MEMBERS PRESENT

Senator Gene Therriault, Chair
Senator Thomas Wagoner, Vice Chair
Senator Charlie Huggins
Senator Bettye Davis
Senator Kim Elton

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 36

"An Act relating to applications requesting the delivery of absentee ballots by mail."

HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 36

SHORT TITLE: ABSENTEE BALLOT APPLICATIONS

SPONSOR(s): SENATOR(s) THERRIAULT

01/11/05	(S)	PREFILE RELEASED 01/07/05
01/11/05	(S)	READ THE FIRST TIME - REFERRALS
01/11/05	(S)	STA, JUD

WITNESS REGISTER

Laura Glaiser, Director
Division of Elections
P.O. Box 110017
Juneau, AK 99811-0017

POSITION STATEMENT: Spoke to the difficulties associated with the November 2004 election that are addressed in SB 36

Annette Kreitzer, Chief of Staff
Office of the Lieutenant Governor
P.O. Box 110015

Juneau, AK 99811-0015

POSITION STATEMENT: Spoke to difficulties associated with the November 2004 election that are addressed in SB 36

ACTION NARRATIVE

CHAIR GENE THERRIAULT called the Senate State Affairs Standing Committee meeting to order at [3:32:17 PM](#). Present were Senators Elton, Wagoner, Huggins, Davis, and Chair Therriault.

^#SB36

SB 36-ABSENTEE BALLOT APPLICATIONS

CHAIR GENE THERRIAULT announced that the committee would hear his bill, SB 36. He had the bill drafted and introduced as a result of the absentee ballot request issue that came to light during the most recent general election. The entities that encouraged people to use the absentee ballot process increased appreciably and a number of the groups developed their own request forms. Some of the request forms had a return addresses for an entity other than that of the Division of Elections. He felt that was inappropriate because of the sensitive data that the forms contain.

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He asked the legislative legal drafter to develop suggested wording on how to place something in statute to make it clear that such intermediary handling of absentee ballot requests is not acceptable in the future. There is also language that specifically notices political parties that they may neither encourage nor assist in such activity in the future.

CHAIR THERRIAULT asked Ms. Laura Glaiser from the Division of Elections to give some background on the issues raised in the previous general election. He also asked her to advise members of any other problems they might want to consider before passing SB 36 and that he did not intend to take final action on the bill that day.

He noted the Governor's bill, SB 66, was introduced and it addresses this and other election related issues. A difference is that SB 66 contains a consequence section and he would like to discuss incorporating something similar into his bill.

AS 15.56.060 states that unlawful interference in an election is a crime and this bill would add intermediary handling of absentee ballot requests to the list of unlawful activity.

He asked Ms. Glaiser to come forward.

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LAURA GLAISER, Director of the Division of Elections introduced herself and asked how she should proceed.

CHAIR THERRIAULT asked her to give some history. He noted that there had been a marked increase in the number of absentee ballot requests nationwide and asked her to discuss the specific circumstances.

MS. GLAISER reported that the Alaska Republican Party was the first to print absentee ballot requests that they generated and this was for the primary election. When the party chairman contacted her and asked about format and other particulars, she advised them to use the state form.

She then showed members absentee ballot request forms that were developed and used by the Republican Party, the Knowles campaign, and the Democratic Party. She understood that the Republican Party sent out about 90,000 absentee ballot request forms statewide for the primary.

The Republican Party form was similar to the state form in print and font, but portions of the form were pre-filled for the voter. The voters name, residence address, mailing address, and often the gender were pre-printed on the form. It was also pre-marked so the voter would receive absentee ballots for all elections.

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MS. GLAISER said the voter was required to say where they wanted the ballot mailed, to sign the form, and to fold and seal the form that was pre-addressed to the Division of Elections.

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The Knowles campaign was the next to approach the division with a proposed form. She noted that the Knowles form is easily identified and that it clearly stated that it was paid for by

Tony Knowles for U. S. Senate. That form was directed back to the Division of Elections. It didn't go to an intermediary.

Concerns that were expressed [to the Knowles Campaign] regarding the form weren't changed. For example, the Alaska voter number was not included on the form and the division likes it there because identity theft is less likely from a voter ID number. The Knowles form had no preprinting; the voter filled out all information.

Because no one is required to check with the division and anyone may track those who request an absentee ballot, she isn't sure which entities' form came next. She understands that the Republican Party tracked and sent another mailing for the general election.

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MS. GLAISER explained that she made copies of each form for the October 12 press conference that she and Lt. Governor Leman called when "this all kind of blew up in our face."

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The Alaska Democratic Party (ADP) form was next and it came in two sections. It was a three-fold mailer with two copies. The first flag for the division was that there was no place on the application for a residence address although state law requires that. The division had to make follow-up contact with the voter to get an address. A second problem was that the form was open faced so that the signature and private voter data was not protected. Finally, the form was returned to the ADP rather than the Division of Elections.

MS. GLAISER said that the division first became aware of the problem when several employees expressed concern that they had received the form at a PO Box and that the required residence address was missing. The other concern was that the form was returned to a party rather than the Division of Elections.

The Division of Elections, region II, Anchorage office began receiving forms in pre-addressed postage paid envelopes that the division provides to registrars. The Anchorage office date stamped the envelopes then sent them to Juneau by DHL. Thereafter, the forms began arriving by the box.

She pointed out that they had no ability to anticipate this volume. As the Anchorage office applied date stamps, they began to notice that as much as a month might have passed since the voter signed the form. She couldn't speak to where the form had been, but it's likely that the form didn't get to her office and entered into their database as quickly as the voter might have thought.

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Two or three days after the October press conference, her office sent letters to over 900 voters saying that they couldn't process the application until they received a residence address to enter into the database. As a second option, a by fax application was included on the back of the letter.

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CHAIR THERRIAULT asked about the issue of stickers that were placed on some of the applications.

MS. GLAISER explained that that was one of the reasons for the October press conference. When they first noticed there was no residence address she sent an email to the parties stating that some voters asked about ADP and questioned which form was official. After she sent the email, the division began receiving Democratic Party applications with residence address added on a preprinted label. Although this information was added after the voter signed the form, the division took the stand that the voter shouldn't be faulted and they processed the applications.

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CHAIR THERRIAULT asked what the Department of Law said about the form having been altered after the voter signed it.

MS. GLAISER replied they said it was wrong, but because the division and the Department of Law agreed that they didn't want to disenfranchise voters, they kept the applications moving. She reported that there were 58,000 applications and there were days when they received between 7,000 and 11,000 applications. A number of these applications weren't complete which meant that it took elections staff time to help the voter complete the form.

She added that under current law, the last day voters could request an application is seven days prior to an election and

she would like the committee to extend that time to at least ten days prior to an election.

SENATOR THOMAS WAGONER noted that a newspaper recently reported that 29,000 absentee forms weren't accounted for and he questioned whether this wasn't at least partially responsible.

MS. GLAISER replied the non-standard forms did cause delays but they weren't responsible for all the difficulties. For instance, the special advance ballot requests increased by 1,300 percent. Voters that request special advance ballots actually receive two. The first ballot is mailed 60 days before the election and the second is sent when all other absentee ballots are mailed. Although she explained the procedure to the reporter, the news release didn't make it clear that when she mailed out 58,000 ballots, some voters got two ballots. Without querying the database it's hard to explain and defend ourselves, she said.

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MS. GLAISER emphasized that her staff did a terrific job under difficult circumstances. The election coordinator slept in her office. "I've never seen efforts like our staff did - temporaries, range 8s." That being said, it's correct, they didn't get everyone's application out. They processed the applications that were complete and tried to get missing information whenever possible.

CHAIR THERRIAULT acknowledged that the number of votes cast was a record.

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MS. GLAISER added that the absentee votes were up by about 87 percent from the election in 2000.

CHAIR THERRIAULT remarked that it's a good thing that so many people participated in the process, but he didn't believe the volume and the intermediate steps caused by non state generated applications could have been anticipated.

MS. GLAISER replied that, as a manager, it was difficult to plan. It's acceptable that the forms aren't state generated but she would like them to be approved by the director of elections so they could better prepare. At that time, they would ask whether the forms would be partially pre-filled. The Republican Party did that, which made the data entry easier for the

division. She showed another sample that used shiny card stock and a small font, which slowed data entry. The state generated forms were developed years ago and they were developed to make data entry as easy as possible.

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CHAIR THERRIAULT asked about the issue of whether the mail-in was a voter registration or an absentee ballot request.

MS. GLAISER replied that Alaska state law says that when a voter requests an application, they are updating voter registration information at the same time. She pointed out that instructions on some forms made that clear, but others didn't.

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CHAIR THERRIAULT commented that some voters expressed confusion regarding the fact that one form performed both functions.

MS. GLAISER agreed that they did receive some of those calls.

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SENATOR CHARLIE HUGGINS asked what sort of concerns she and her staff had when they first became aware of the different forms.

MS. GLAISER replied that her first concern was that the applications weren't returned directly. An entity other than the Division of Elections had individuals' private information and it might or might not have been protected. The Democratic Party form stated that driver's license number, social security number, phone and email had to be provided, but state law requires neither a phone number nor email address. She clarified that the Knowles Campaign forms and the Republican forms were sent directly to the division.

She made the point that Senator Guess worked very hard on legislation to protect voter confidentiality and it "went out the door with this because it went to a party first." The Lt. Governor wrote a letter to the chair of the Democratic Party asking particulars about their possession of the forms because he had similar concerns. When the information doesn't go directly to the state, you fear that voter caging is occurring. This is the political term for gathering and tracking voter information. She clarified that she doesn't know that this was

going on, but that's what you fear when applications first go to an entity other than the state.

SENATOR HUGGINS asked whether she had seen this happen before.

MS. GLAISER replied she was the new division director, but this was the first time the division had seen this happen. It's not uncommon for candidates or parties to ask for voter registration forms and absentee ballot forms to take to fairs and other forums, but there is no record of applications that were returned to an entity other than the Division of Elections.

SENATOR HUGGINS stated that he assumed that her concern was that voters could become disenfranchised.

MS. GLAISER told him that her staff thinks in terms of how quickly they are able to deliver a ballot and the confidentiality of the record. They were very concerned that personal information and signatures went through the mail without any privacy protection. The division designed a privacy flap to protect signatures before her tenure so this has been a concern for some time, she said.

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SENATOR HUGGINS asked if many voters expressed concern that they couldn't vote due to the process.

MS. GLAISER replied they tried to answer questions in a press release and a press conference, but she didn't want to generate fear. Some people did call the division and ask whether the ADP was an elections office. At the beginning they didn't know what precipitated the question.

SENATOR HUGGINS said he assumes she agrees that changes are needed so there isn't a recurrence.

MS. GLAISER said yes and both Senator Therriault's bill and the Governor's bill address the issues of pre-approval by the division, and mailing directly to the division. Regional supervisors have advised her that there are entities other than parties that gather voter registrations and keep copies of the forms. When registrars are trained they are told not to keep these records, but state law doesn't prohibit it so the state has to decide whether it wants to protect those records.

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CHAIR THERRIAULT remarked that he saw the forms when they became an issue, but he didn't catch the point about the phone number and email address until she mentioned it just then.

MS. GLAISER added that information isn't captured from the state generated form unless an individual has indicated that they would like to be an election worker. They keep the information on their form in anticipation of an update to the voter registration system.

CHAIR THERRIAULT posited that the only reason that information was requested is that the intermediary wanted that information.

MS. GLAISER replied, "You could say that, but I couldn't possibly."

SENATOR KIM ELTON expressed appreciation to the Division of Elections for moving very quickly when he asked questions for some of his constituents who wanted to vote absentee. He asked if it's fair to say that nothing illegal happened, but that there were miscommunications and some mechanical issues that complicated her job and that might confuse some Alaskans.

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MS. GLAISER said she can't speak to what the ADP did, but the suggested legislation would make it clear that only the Division of Elections could receive voter registration and application forms. What was done hadn't been done before and without a bill it isn't clear enough.

SENATOR ELTON said this is one approach and the Governor's bill adds to this bill, but there are other approaches. "Can't we say that the absentee ballot request must be the official state form or one step less than that and say that the director has to approve any absentee ballot request form?" Other ways might be less intrusive to party functions and would get to the mechanical issues that were problematic.

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MS. GLAISER said it's a policy call for the Legislature, but she urged members to protect voter confidentiality and when the forms go to an entity other than the state, then privacy can't be ensured.

SENATOR ELTON said that one way to address that would be to inform people that the information would be collected by X and sent to the Division of Elections.

MS. GLAISER restated that it's a policy call.

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SENATOR ELTON asked how the term political group was being defined in the legislation. Is it the Juneau Chamber of Commerce, Trustees of Alaska, Retired Public Employees?

CHAIR THERRIault said he would check, but he wasn't sure whether that section of the bill is in statute. There might be a definition section at the end or you could make reference to an area giving a definition, he said. If this is the language the committee agrees to, a definition reference could be added.

SENATOR ELTON stated that he realized the bill wasn't moving that day, but a definition was in order before the bill moves from committee.

SENATOR THOMAS WAGONER stated that it would make sense to define a political group as any group that is registered with the Alaska Public Offices Commission (APOC).

CHAIR THERRIault asked Ms. Glaiser to respond.

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MS. GLAISER stated that SB 66 addresses that in 15.20.081(a). It states that applications must be submitted directly to Division of Elections thereby negating the need to define political group or political party. Current state law says, "A qualified voter may apply by mail or electronic transmission to the director for an absentee ballot." It doesn't say directly to the director so it's unclear. In years past, people thought it came directly to the division and it now needs to be more clearly defined.

CHAIR THERRIault asked about the advice the division received from the attorney general's office regarding the augmentation of information and pasting over information with labels by person(s) other than the voter. He asked whether this was a violation of regulation.

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MS. GLAISER advised that she was reading from the opinion dated October 14, 2004 that says that "Alaska Statutes don't expressly authorize a third party to submit an absentee by mail application on behalf of a voter. To do so would create serious public policy concerns." With regard to a third party and the postcard format of the applications, the opinion was that "the applications more vulnerable to alterations and leaves the voters confidential information in view, potentially revealing private information to third parties." With regard to a third party adding or changing information on the form as was done with the stickers, the opinion advised that, "Under AS 15.20.081(b), an absentee by mail application also serves as a voter registration application. The voter registration statutes require that registration applications contain an attestation, by the voter, that the information is true and a certification of the applicant understands he or she can be prosecuted for a false statement."

AS 15.07.060 contemplates that "a voter who registers by mail will provide the information required directly to the division of elections or a voter registration agency unless the voter is incapacitated."

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CHAIR THERRIault remarked that it's clear that the statute didn't anticipate that the data might be changed after a person filled out and signed the form attesting to the accuracy of the data. However, it can certainly be read that it isn't allowed. It points out that an intermediary stop is ripe for problems.

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SENATOR HUGGINS asked what the variance was in the most recent election that precipitated a recount.

MS. GLAISER said the state pays for a recount if the variance is less than .5 percent and although the variance was more than that, another party requested the recount.

SENATOR HUGGINS remarked that there seems to be an increase in the number of people who question voter intent, which has resulted in increased recounts. He asked how much it cost the person requesting the recount.

MS. GLAISER told him that it's \$10,000 for a statewide recount and \$750 for a district recount.

SENATOR HUGGINS asked who requested the recount.

MS. GLAISER said it was Concerned Citizens for Alaska. Joe Sonneman headed the group and there was also a professor from Fairbanks who was involved.

SENATOR HUGGINS asked whether it cost the state anything.

MS. GLAISER replied they've spent about \$39,000 to date.

SENATOR ELTON stated that addressing how much to charge back is going to be a difficult question. However, the individuals that requested the recount said that they were confident in the Alaska system after having gone through the process. Sending such a positive signal back to voters may be worth more than \$39,000.00.

He asked whether anyone has looked at how other jurisdictions handle absentee ballot requests and what solutions other jurisdictions might have developed.

MS. GLAISER said she recently attended a meeting in Washington D.C. and learned that many states were overwhelmed by the voter registration process than by the absentee ballot process. Concerns regarding fraud and voter caging were common. Comparing the Alaska system with that of other states is difficult because the systems aren't similar.

SENATOR ELTON stated that in the last election the number of absentee ballot requests and the number of people who voted an absentee ballot was astounding. In addition, voter turnout was larger than any previous election. The concerns expressed are valid, but it's important to find a solution that doesn't diminish the ability to get absentee ballot requests sent out without placing an additional threshold in front of a voter that would make it more difficult to participate. Many people did vote in the last election and he attributes that to party building and activating voters. Everyone is concerned about voter confidentiality, but a solution to the problems that arose shouldn't reduce absentee voting in future.

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MS. GLAISER agreed and said Alaska voters are fortunate to have the number of avenues available to them. Lt. Governor Leman worked with Senator Lincoln on special advanced ballots for

rural Alaskans. Alaskans in the military and stationed overseas also applied for the special advance ballots. Alaskans voted early, and by fax, and special needs voters had ballots hand delivered. The Help America Vote Act was also a great help to uniformed personnel stationed overseas.

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CHAIR THERRIAULT remarked that it's likely that many states would look to Alaska for how to develop a system to encourage participation, but the problems that arose need to be addressed.

MS. GLAISER added that voters should be protected and participation should be encouraged.

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SENATOR HUGGINS reported that his son had a little difficulty with his absentee ballot, but was very pleased with the help he received from the Division of Elections.

MS. GLAISER agreed that her staff worked hard.

CHAIR THERRIAULT referenced an earlier question from Senator Elton and stated that AS 15.60.010 (22) and (23) has a general description of a political party or group that applies unless it's otherwise specified in the chapter.

CHAIR THERRIAULT noted that Annette Kreitzer was online. He asked her to describe her discussions with the Alaska Democratic Party (ADP) regarding the form they sent out and the issue of the applications that were returned to the ADP P.O. Box. In addition he asked her to explain what it means to cage voters.

ANNETTE KREITZER, Chief of Staff to Lieutenant Governor Loren Lemam said Ms. Glaiser had done a good job in describing what happened. She wasn't sure where the phrase caging voters originated, but she interprets it the same as Ms. Glaiser. She added that the Lt. Governor has spent considerable time and effort on legislation designed to protect voter privacy rights.

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When the Lt. Governor first became aware of what was happening, he sent the head of the ADP a letter on October 8 citing AS 15.20.081. After speaking with the Department of Law, he

determined that the activity was not consistent with the text or the spirit of that provision of law.

In his letter he outlined his concerns and directed that all the applications be delivered to the Division of Elections promptly for processing. They were very concerned about the time gap between the time the ADP received the applications and the time they were delivered to the division for processing. He was also concerned about the privacy of the application and the fact that card stock was used and the information could be viewed by anybody.

The Lt. Governor asked the ADP whether anyone other than the voter applied stickers with voter addresses and or precinct numbers. Scott Sterling, chair of the ADP, responded that when applications were returned and did not have residence addresses, that information was added without otherwise altering any portion of the application. This troubled the Lt. Governor's office and the Division of Elections because the voter attested that everything on the form was true yet information was added after the fact. Lt. Governor Leman was also concerned that no voter be disenfranchised so they didn't return the applications to the voters. Rather they asked the Division of Elections to contact the voters to get the information so they could get their ballot in time.

CHAIR THERRIAULT asked if it was correct that once they made contact they developed a process whereby a state employee accompanied the ADP individual to the post office every day to collect the ballots immediately.

MS. KREITZER said that's what happened.

CHAIR THERRIAULT asked for a timeline from when the ADP forms were first mailed to when the division began using the immediate transfer system. He also questioned how many requests came in and what the data was used for.

MS. KREITZER stated that the Lt. Governor asked a series of questions including how much time had elapsed between picking up the cards and delivering them to the Division of Elections. Mr. Sterling's letter of 10/13/04 said that about one week passed before the first absentee ballot requests were turned in, but she wasn't sure of the number. After that, he stated that they were turned in as they were received. In the same letter he said they applied stickers when there was no residence address so the forms were in their possession for at least that long.

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CHAIR THERRIAULT asked if anyone asked whether the data was photocopied or whether the information was entered into a database.

MS. KREITZER said they didn't get answers on that point and the Lt. Governor decided not to press the issue since it was clear that legislation was necessary.

4:30:43 PM

CHAIR THERRIAULT asked whether she would provide the committee members with copies of the correspondence that went back and forth.

MS. KREITZER said she'd do so by the next day.

CHAIR THERRIAULT asked Ms. Glaiser whether she had anything to add.

MS. GLAISER said the division was concerned about the supplemental information because there is no assurance that the residence information that the ADP added was correct.

4:32:13 PM

SENATOR ELTON posited that the voter addresses were from the Division of Elections database. He agreed that the concern is valid, but wondered whether any voter complained about the stickers that were added. He said he appreciates the way the division handled facilitating voters in voting and assumes that whoever applied the sticker thought they were facilitating as well.

MS. GLAISER replied the voters didn't know because the Lt. Governor and the division elected not to have a controversial political exchange. When the division sent letters out they didn't assess blame. The driving force was to get ballots to the voters.

4:34:09 PM

CHAIR THERRIAULT stated that the issue was handled appropriately at the time, but he believes that if voters were contacted now and told that their application was changed after they certified

that the information was correct, some would definitely be upset.

MS. GLAISER remarked that voters certainly would have been upset if the division had taken punitive action and hadn't processed the applications.

[4:35:12 PM](#)

SENATOR HUGGINS remarked that the issue is disturbing and it can't happen again because it's unfair to voters.

[4:36:02 PM](#)

CHAIR THERRIAULT questioned whether it appeared that there were batches of applications that looked as though they were delayed longer than others.

MS. GLAISER replied the Lt. Governor asked the same question and she decided that tracking the information would take time away from processing applications. She elected to shoulder the responsibility and have her staff work on processing applications. She did have an employee pull all stickered or altered applications so that managers could make decisions. Whenever they could call voters and get the correct information they did so. It's perfectly all right for someone to fill out most of the application and have a voter to apply his or her signature and is no different than a party generating a preprinted application.

The Lt. Governor supported her decision to process applications as quickly as possible rather than to spend time and labor tallying irregularities to bolster their position in the end.

CHAIR THERRIAULT asked whether she had all the altered applications in her possession.

MS. GLAISER said she did.

CHAIR THERRIAULT asked her to elaborate on the issue of the prepaid registrar envelopes.

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MS. GLAISER explained that the Division of Elections provides postage paid envelopes to the regional election offices to expedite the return of registration forms. The ADP generated

form was returned to the party first; the party then used the prepaid envelopes and returned the applications to the regional office in Anchorage. That slowed processing down because the regional office date stamped the envelopes and sent them on to the director's office via DHL. She has no way of knowing how long it took for the applications to transit from the initial mailing point to the ADP postal box, but it took between three and five days for the applications to move from ADP to the Juneau office if there were no glitches.

Although they didn't complain, it was very frustrating for her and her staff because they take the voting process very seriously and this was completely outside their control.

CHAIR THERRIAULT outlined issues to consider:

- Whether there should be a penalty.
- Confidentiality - If entities are allowed to send out applications, should voter information be concealed?
- Voter registration cutoff date is now seven days and the director asked for consideration for 10 days.
- Whether forms should have pre-approval - This could include return to only the Division of Elections. It could also include type size, shape, shaded areas, type of paper stock.
- Possible separation of voter registration from the absentee ballot.

MS. GLAISER said that for protection the form should be folded and mailed back to the Division of Elections. That could be placed in regulation. With regard to separating the voter registration and the absentee ballot, she advised that Alaska law says that an absentee ballot application acts as a voter registration form. She didn't know whether there were federal guidelines as well.

CHAIR THERRIAULT pointed out that if someone went to the Division of Elections to register to vote, they wouldn't get an absentee ballot in the mail. However, a number of voters did get surprise absentee ballots in the mail, which caused them to call the division and question what was going on.

MS. GLAISER said some forms were better than others and she would like the division to pre-approve forms so that data entry isn't compromised. A great deal of work goes into developing the forms and it's for naught if parties and other entities don't

build on that effort. Communication with the division would make for a better process.

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CHAIR THERRIault asked whether there were other issues to address to make the process better.

SENATOR ELTON asked whether he could infer that the Division of Elections could adopt the guidelines for what the request form would look like in regulation without statutory authority. That would include confidentiality and the kind of information requested.

MS. GLAISER replied the kind of information requested is in regulation. Current law says that the residence address is required, but that wasn't on the ADP form.

SENATOR ELTON reversed his question and asked what kind of information can't be requested.

MS. GLAISER said she isn't an attorney, but she views statute as supreme and then comes regulation. With that in mind, she has tried to have everything in statute and not have regulation completely separate. Currently, statute says, "by mail to the director of the Division of Elections." She continued to say:

If the policy makers say go do it in regulation, I guess the Executive Branch has something to say about that too about whether in fact it should be a change to statute first - enhanced with regulation - more specifics made in regulation - If you want to talk about glares, font and everything, but I think pre-approved by the Division of Elections - we saw that until this year everything was going fine. When other entities chose to do drives, when other entities took a state form to the fair, everything was working fine. This was the first year where the flags went up and something needs to be done differently.

[4:46:42 PM](#)

CHAIR THERRIault stated that he intended to hear the bill again, hopefully for final action, in two weeks. He held SB 36 in committee.

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There being no further business to come before the committee,
Chair Therriault adjourned the meeting at [4:47:00 PM](#).