

**LASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE**

January 28, 2021

3:32 p.m.

MEMBERS PRESENT

Senator Mike Shower, Chair
Senator Lora Reinbold, Vice Chair
Senator Mia Costello
Senator Roger Holland
Senator Scott Kawasaki

MEMBERS ABSENT

All members present.

COMMITTEE CALENDAR

SENATE BILL NO. 39

"An Act relating to elections; relating to voter registration; relating to ballots and a system of tracking and accounting for ballots; establishing an election offense hotline; designating as a class A misdemeanor the collection of ballots from other voters; designating as a class C felony the intentional opening or tampering with a sealed ballot, certificate, or package of ballots without authorization from the director of the division of elections; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

No previous action to record.

WITNESS REGISTER

SCOTT OGAN, Staff
Senator Mike Shower
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Delivered the sectional analysis and answered questions about SB 39 on behalf of the sponsor.

TERRENCE SHANIGAN, Staff
Senator Mike Shower

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions related to SB 39 on behalf of the sponsor.

ACTION NARRATIVE

[3:32:42 PM](#)

CHAIR MIKE SHOWER called the Senate State Affairs Standing Committee meeting to order at 3:32 p.m. Present at the call to order were Senators Reinbold, Costello, Kawasaki, Holland, and Chair Shower.

SB 39: Ballot Custody/Tampering; Voter Reg; Mail

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CHAIR SHOWER announced the consideration of SENATE BILL NO. 39 "An Act relating to elections; relating to voter registration; relating to ballots and a system of tracking and accounting for ballots; establishing an election offense hotline; designating as a class A misdemeanor the collection of ballots from other voters; designating as a class C felony the intentional opening or tampering with a sealed ballot, certificate, or package of ballots without authorization from the director of the division of elections; and providing for an effective date."

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CHAIR SHOWER read the sponsor statement for SB 39 [Original punctuation provided.]:

Election integrity matters. Every vote counts. Election integrity is a concern for many that has influenced Alaskan elections for too long. Chain of Custody is the foundation of ballot integrity. SB39 was written to allow a comprehensive look at every chain of custody issue in Alaska. The focus of the bill, which I first filed in 2019, is to insure ballot chain of custody and election integrity. Once you lose chain of custody, you lose ballot integrity. I support mail-in voting and utilized it throughout my 24-year military career.

Elections should not be called into question because of ambiguous election protocol policy. SB 39 codifies strict chain of custody protocols into the handling of ballots and election reports. It mandates that all ballots be in a strict chain of custody all the way

back to a central location where they can be destroyed after all ballots have been accounted for by the Elections Board. Current practice allows ballots to be destroyed in precinct without central accounting.

SB 39 requires the director to establish in regulation, best practices for chain of custody protocols, and provides affected parties reasonable notice for ballot handling observation opportunities. It establishes an election offence hotline number that is conspicuously posted at polling areas and on the election privacy envelopes. Every voter becomes empowered, if they see something, they can now effectively report irregularities or concerns. It requires election workers to immediately notify the Director of any irregularities, then allows for an audit of ballots in precinct, immediately after the election;

There are no better checks and balances than empowering voters themselves at the most local level possible to become informal election observers.

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CHAIR SHOWER stated his intention "to listen to all sides and make voting, including mail-in voting, more secure so Alaskans can be confident in their election system."

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SCOTT OGAN, Staff, Senator Mike Shower, Alaska State Legislature, Juneau, Alaska, paraphrased the following sectional analysis for SB 39:

Section 1. Amends AS 15.07.050(a), eliminating automatic PFD applicant voter registration and providing for PFD applicant voter registration by checking a box to request registration.

Section 2, Amends 15.07.060(e) to provide for PFD applicant voter registration but only if the applicant requests to register.

Section 3. Amends AS 15.07.070(i) so the division only registers PFD applicants who request to register,

Section 4. Amends AS 15.07.070(k) to require the director to register and notify only those PFD applicants who requested to register to vote.

Section 5, Amends 15.07.070(l), requiring a PFD applicant request to be registered before their name is placed on the master register.

Section 6. Mandates a ballot security and chain of custody protocol to track ballots, absentee ballot certificates and envelopes, and paper records of electronically generated ballots. Establishes a toll-free election offense hotline and requires the number be placed on voting machines and election materials.

Section 7, Requires the director to provide election board notices with the election offense hotline. Two notices must be posted in each polling place in a conspicuous location.

Section 8. Amends AS 15.15.250, requiring that spoiled ballots be marked and sealed rather than destroyed.

Section 9. Requires that the director provide a voter notice if the voter's ballot was not counted because the voter was not a resident of the state or house district in which the voter sought to vote.

Section 10. Provides that elections may not be certified by the director or lieutenant governor until each original ballot and record is accounted for.

Section 11. Amends AS 15.15.470, requiring that all ballots and stubs for elections be retained for 22 months. Mandates ballot, certificate, and envelope destruction at a single location, witnessed by the director or their designee, and then director certification of destruction.

Section 12. Amends AS 15.20.066(a) to prohibit absentee voting by facsimile in state elections.

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Section 13. Amends AS 15.20.081(a) to provide for email absentee ballot transmission.

Section 14. Amends AS 15.20.081(d) and requires the division, in the event a court invalidates the absentee ballot witness signature during an emergency declared under AS 26.23, to enforce the witness signature after the emergency declaration expires.

Section 15. Amends AS 15.20.081(e) to require that all absentee ballots received after election day be postmarked on or before election day.

Section 16. Amends AS 15.20.201(b), requiring that reviewed absentee ballots be counted as soon as possible after review and prohibiting counting delay to determine whether a voter voted more than once in the election.

Section 17. Amends AS 15.20.220(a) and adds a name comparison to the review of the district counting board certified absentee and questioned ballot votes.

Section 18. Amends AS 15.56.035(a), criminalizing knowing ballot collection unless the person is collecting a single ballot and is a family member, household member, caregiver of the voter, or the person is engaged in official duties as an election official, postal worker, commercial delivery service.

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Section 19. Defines caregiver, collects, family member, and household member in AS 15.56.035.

Section 20. Criminalizes intentional unauthorized opening or tampering with a sealed absentee ballot certificate or package of ballots.

Section 21. Requires the lieutenant governor to notify the legislature of a security breach affecting a voter registration record or a voting machine.

Section 22. Prohibits a general law municipality (but not a home rule municipality) from mailing a general law or special election ballot to a voter who has not affirmatively requested to vote by mail.

Section 23. Amends 43.23.01S(b) to allow a PFD applicant to request to be registered as a voter.

Section 24. Amends AS 43.23.101 so that the Commissioner of Revenue is obligated to send PFD applicant information to the Division of Elections only when the applicant requests to be registered to vote.

Section 25. Repeals provisions authorizing the Director of the Division of Elections to conduct elections held at a time other than the general, party primary, or municipal election by mail.

Section 26. Provides that changes made to PFD applications and voter registration apply to applications filed on or after the effective date of the Act.

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Section 27. Provides that the offenses enacted by the bill apply to offenses occurring on or after the effective date of the Act.

Section 28. Transition provision authorizing the Department of Revenue and the Division of Elections to adopt regulations to implement the Act.

Section 29. Establishes an immediate effective date for sec. 28.

Section 30. Establishes a January 1, 2022 effective date for the bill except as provided in sec. 29.

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CHAIR SHOWER asked if there were technical questions about any of the sections.

SENATOR REINBOLD referred to Section 21 relating to notification in the event of a security breach of a voter registration record or voting machine. She suggested there should be a specific timeframe in which the lieutenant governor must notify the legislature of such a breach.

CHAIR SHOWER replied his office would look at whether to add a more specific timeframe.

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SENATOR KAWASAKI highlighted Sections 2, 12, and 13 relating to facsimile ballots. He asked how many facsimile ballots the Division of Elections currently receives and where they come from.

MR. OGAN answered he did not have that information but he would follow up with the data once he received it.

SENATOR KAWASAKI offered his understanding that ballots coming from overseas, particularly from members of the military, arrive by facsimile. He recalled that the Division of Elections confirmed 131 facsimile ballots in the last election. "I'm really concerned with the military overseas that do use FAX machines," he said.

CHAIR SHOWER replied he would take that into consideration and he would also investigate the reason that a Democrat in the House requested the provision.

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SENATOR COSTELLO referenced Section 17 and asked if the phrase "comparing the names" means a signature comparison or record of a person's name.

MR. OGAN replied the new phrase is to ensure that the names in absentee and questioned ballots are reconciled. He said much of this currently is done by policy and putting it in statute addresses the concern that policy can change with different administrations.

CHAIR SHOWER restated that because policy can change, the legislature should define what it wants in statute.

He asked Mr. Shanigan talk about some of the policy, protocol, and precedent that led to the bill.

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TERRENCE SHANIGAN, Staff, Senator Mike Shower, Alaska State Legislature, Juneau, Alaska, said he would begin with some background information. He explained that the precursor to SB 39 was Senate Bill 116 that was filed in 2019. It focused on policy, protocol, and precedent, recognizing that ambiguous statutes had created loose policy and had taken precedent over qualitative protocol. He said policy drives a lot of the decisions and practices within the Division of Elections and

policy changes from one administration to the next can lead to protocol changes such as determining which votes count and which do not count. For that reason, the legislature should make that decision and place it in statute.

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MR. SHANIGAN reported that Senate Bill 116 stemmed from some significant Alaska lawsuits. In 2018, the sponsor and his staff discussed what happened in the District 40 race between Senator Lisa Murkowski and challenger Joe Miller [Miller v. Treadwell], the District 40 race between Ben Nageak and Dean Westlake [Nageak v. Mallott], and ballot issues that came up in Anchorage during recounting in the Walker and Parnell race.

He said those cases revealed that ballots could be destroyed at the precinct level; the chain of custody could be broken; and that not all ballots came back to a single repository. The sponsor's office also learned that federal election laws require the retention of all ballots and materials, which they thought was a good practice. He noted that those early conversations did not include the small percentage of ballots cast using mail-in voting.

MR. SHANIGAN related that when Senate Bill 116 did not pass, the concern was that the general level of error in mail-in voting would be magnified when many more voters used that method because of Covid-19 concerns. He posited that, "When you put a ten times multiplier on that and go from 20,000 votes to 200,000 votes, you start to swing elections in ways that you never intended."

MR. SHANIGAN stated that Section 25 in SB 39 specifically addresses the issue of mail-in voting. He continued,

If we don't...clean up the ambiguous language and put some codifying language in that protects the integrity of the ballots and puts chain of custody situations - protocols in place, if we don't do that, we need to seriously consider looking at our mail-in voting system and having the debate whether or not we can afford to keep it because there are certain situations.

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MR. SHANIGAN cited his experience working as a state trooper to emphasize the importance of maintaining chain of custody to ensure the evidence is not contaminated. He pointed to the O.J. Simpson trial as an example. The chain of custody was broken and the evidence became a cornerstone that eroded the case, he said.

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MR. SHANIGAN stated that when the sponsor looked at ballot integrity, it was clear that chain of custody is very tight for in-person voting. He outlined the process from the time the ballot starts at the Division of Elections until the voted ballot is counted and tabulated. He said that is a secure chain of custody.

MR. SHANIGAN said a secure chain of custody does not exist for mail-in voting in Alaska. The chain of custody is broken when the ballot enters the U.S. Postal system because unidentified postal workers touch the ballot for an unknown amount of time until it reaches the voter's house. The voted ballot then goes back into the U.S. Postal system until it is back at the Division of Elections. He said that process is a problem in itself, but it becomes more a problem when 113,000 records are lost and the data potentially compromised, which happened during the last election.

He said the situation is further complicated when citizens receive more than one ballot, which also happened in the last election. The sponsor's office talked to multiple people throughout the state who received up to five ballots, which shows that something is wrong with the state's voter data. He said, "We do know that 113,000 records are compromised and if we do nothing today, we have to still reinvent our system." An additional concern is that ballots can be destroyed at the precinct level, he said.

MR. SHANIGAN said it is a concern that municipalities are allowing people to use mail-in voting. "The same person that gets five ballots at the state-level election reported to us that they received five ballots at the municipal election." He said the Division of Elections maintains that its system is clean, but the Municipality of Anchorage receives its data from the state system. He said, "We need to figure out how to clean that information up."

MR. SHANIGAN said auto voter enrollment tied to the dividend application is another problem because people should not be forced to register. Further, he said his office has evidence of a foreign national who lived in Alaska for a year and applied for a dividend. The dividend was denied because the person was not eligible, but they were auto registered and they received a ballot for the last election. He said this raises questions about system integrity.

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MR. SHANIGAN said registering voters through the PFD application is a good idea, but it should be one's choice. The current process is that everyone who applies for a permanent fund dividend (PFD) is automatically registered to vote and the sponsor believes the applicant should check a box to become registered. He said another problem with the current system, which affects many rural Alaskans, is that the address for the PFD may not be the person's voting address.

He shared that he was part of the Alaska Native think tank that talked about the challenges of voting in rural Alaska and how important mail-in and absentee voting can be. He said there can be exceptions that don't hurt the whole system, but there must be a system to authenticate voter information. The first step is to clean up the existing statutes. "We've got a system where our data is corrupted and it's exposed. And if we do nothing about it, we're setting ourselves up for big failure."

MR. SHANIGAN emphasized that SB 39 was never about stopping mail-in voting. And all the charges about it being a race issue are dismissive of his family and people he knows who are concerned about what goes on in his village. He concluded, "By putting the conversation on the table - that if we do nothing we should seriously consider the mail-in concerns."

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CHAIR SHOWER said he appreciated the background because there have been misconceptions and his office has had to explain that the bill does not do what people have said it does. He said he believes in putting all options on the table for debate in this statewide bill. It will sink or swim on its own. He said it is fine that the bill changes through the amendment process. "We have no ownership in that particular thing other than to make this better."

CHAIR SHOWER said he would highlight several points for Mr. Shanigan or Mr. Ogan to discuss. For example, in 2016 when automatic voter registration became part of the PFD application, one-third of the voters voted against it. He said a number of people have contacted his office to say they do not want to be forced into the voting system. That provision is in the bill to have the debate and find a compromise, he said. "People can still select that but if they don't want that, it's not forced upon them."

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CHAIR SHOWER explained the no mail-in provision:

There is a section of this state, quite a big section actually, that doesn't want mail-in at all. There are sections of this state that want nothing but mail-in. I think I would find, we would find a majority of Alaskans probably don't mind where it is now as long as it is secure. We are trying to identify those areas where it is not secure, where we can make it better. But I would imagine most Alaskans would like the option to be able to vote in person. I would imagine a lot of Alaskans still want the option to vote absentee.

He listed some of the reasons Alaskans may need or want to vote absentee, including being in the military. He shared that he has used absentee voting many times and said there is no intent to stop that.

CHAIR SHOWER said people from "multiple sides of the equation" contacted his office and he believes everyone should have an opportunity to discuss these issues and figure out the best path forward. He listed some of the myths and falsehoods he has heard about the bill. These include: it eliminates mail-in voting, it eliminates local control by prohibiting mail-in voting at the municipal level, it eliminates registration to vote through the PFD application, it prevents people from registering to vote, it eliminates the option to vote through absentee ballot, and it limits rural participation in voting.

He clarified his intent in filing SB 39:

I want people to understand from an intent perspective of filing this bill and what we put into it is to have

the discussion. We have no intent to do those things and I hope people will see through this discussion and debate process and what we're talking about today is that that's not where we're going with this bill. It was never the intention.

Even as you said that if we get to a point where we find that we're unable to secure our voting system, then maybe we need to have the discussion about mail-in. How do we do it better if we can't?

CHAIR SHOWER said their investigative process has identified the possibility for error, but there has been little discussion about fraud. He asked Mr. Shanigan to comment on the difference between fraud and error and how they affect the system overall.

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MR. SHANIGAN said he first wanted to point out that if the same level of protocol integrity were used for in-person voting as is currently found in vote by mail, precincts would be unmanned and ballots would be left on a table with a sign asking people to vote just one ballot. Then the voted ballots would remain in the precinct until they were collected some eight hours later.

Regarding fraud versus error, he explained that the investigative process focused almost exclusively on error. For example, an evaluation of the Walker versus Parnell race found a very high error rate in voters having accurate knowledge of the district in which they were registered. People who went to the wrong precinct voted question ballots and their district votes did not count. He said the sponsor believes that the Division of Elections should notify voters when their district changes and when their vote did not count. But notification as a matter of policy is not sufficient, because it could change from one administration to the next.

MR. SHANIGAN also pointed out that it is not clear whether or not precinct workers can tell if a voter who comes to the precinct has already voted absentee. Further, if both an in-person and absentee ballot are voted by the same person, it may or may not be caught. But if the voter votes a question ballot, "it neutralizes both out," he said. He said that who decides which ballot counts depends on the policy of that administration. "As Alaskans we should be concerned about

administrations choosing whose vote they're going to count and whose they're not," he said.

MR. SHANIGAN stated that it is the legislature's responsibility to propose statutory changes to clean up elections and the sponsor is taking an aggressive stance to do so. Authenticating the voter rolls will eliminate the questions about whether there should or should not be mail-in voting. He highlighted that fraud represents a very small sliver of the problems with the election system. The problem is that the system is error-ridden because of loose statutes and ambiguous policy upon which protocols are based. He said we need a task force that involves citizens and local solutions.

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MR. SHANIGAN explained that Section 22 intends to push elections to the local level. He said municipalities like Anchorage or Juneau that have their own election ordinances "are exempt from a lot of this." Aspiring communities that want to opt out of the state election system are able to do that. "We were trying to be clear that if you're already doing something or want to do something, this system's for you. And all the others, it applies to you."

CHAIR SHOWER asked him to talk about the protocols a municipality would need to follow to ensure election integrity but not prevent it from having its own mail-in voting.

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MR. SHANIGAN explained that communities would be able to establish protocols for their election system but they must meet the state baseline standards for election integrity.

CHAIR SHOWER asked, as an Alaska Native and veteran, if he views any of the solutions embodied in SB 39 as voter suppression.

MR. SHANIGAN answered no; if SB 39 were to pass tomorrow, there would still be exceptions to accommodate absentee voting. "If you could vote in person before, you can vote in person now; if you had to have an absentee situation before, you'd have the absentee situation now."

MR. OGAN added offered his view that an election system that is rife with errors and possible fraud is a form of voter suppression.

[4:24:08 PM](#)

SENATOR KAWASAKI asked if this was about internal policy or regulations established by the Division of Elections.

MR. SHANIGAN replied the point is that policies are not codified. The policy may be good but it may not be evenly applied or it may be ambiguous and that potentially leads to errors. He cited the example of destroying ballots at the precinct level and deciding which ballots to count. He said those are policy decisions that can change depending on the administration. That breeds mistrust.

SENATOR KAWASAKI said he would like a deeper analysis of the regulations to understand whether the bill does or does not change existing regulations.

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MR. OGAN cited the example of the Division of Elections giving contradictory statements from one conversation to the next. Last year the division said that when somebody votes twice their vote is canceled, but this year they said the last vote counts. He also related his experience working in the administration for 10 years when people in the agency opted not to follow regulations and statutes. He said, "Just because it's in the statutes or regulation doesn't mean that the bureaucrats are going to follow it. What it does is it gives you a process that you can hopefully take to an objective court and alter their behavior."

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SENATOR KAWASAKI asked for an example of what has changed between the Parnell, Walker, and Dunleavy administrations.

MR. SHANIGAN replied the sponsor's office has requested, but has not received, that information. They did receive confirmation that what vote counts has changed from administration to administration.

CHAIR SHOWER added that the answers have been difficult to come by, partly because of the data breach and pending lawsuits. He shared that a Democrat's office and a poll director also mentioned seeing irregularities in the last election.

SENATOR KAWASAKI asked to have the lieutenant governor and the director of the Division of Elections come before the committee to testify to the election integrity issues.

CHAIR SHOWER said he was told that neither the governor nor the lieutenant governor would come before the legislature.

MR. OGAN emphasized the need for clear policy, protocols, regulations, and statutes.

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SENATOR REINBOLD voiced support for having the lieutenant governor come before the committee and suggested the committee also hold a hearing on the Dominion voting system.

CHAIR SHOWER urged the members to submit requests to hear from specific individuals or entities.

He emphasized that election integrity is not partisan. He said the intent in SB 39 is to restore confidence in Alaska's election system.

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SENATOR COSTELLO thanked him for shining a light on election integrity. She requested the sponsor expand the sectional analysis to include:

- 1) the problem being solved in each section,
- 2) whether it a problem that might happen or has happened, and
- 3) a specific example if the problem has happened.

For example, constituents have said they were surprised to learn that they could no longer vote where they live because they applied for a PFD where they work, perhaps on the North Slope.

CHAIR SHOWER agreed to provide an expanded sectional.

[4:38:15 PM](#)

SENATOR HOLLAND echoed Senator Kawasaki's request to hear from the Division of Elections. He also asked if the intention in Section 18 is to limit somebody from collecting a ballot from more than one family member.

CHAIR SHOWER replied the intent is to prevent ballot harvesting, but there would be exemptions to accommodate voters who cannot visit their polling station in person. He asked Mr. Ogan to supplement the explanation of Section 18 for Senator Holland.

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MR. OGAN said the intent in Section 18 is to stop professional ballot harvesting that went on in the last election, and probably before that. He cited examples of people receiving multiple ballots for the same election and people knocking on doors to collect ballots. He acknowledged that exceptions might be necessary to accommodate those unable to go to the polls in person.

MR. SHANIGAN pointed out that pre-stamped envelopes add more ambiguity to a mail-in system because the envelopes are not dated. He related his experience working for the Knowles campaign when 250 people were hired to go door to door to pick up ballots.

CHAIR SHOWER said it is unfortunate that the data breach was not reported earlier because people would have been more on guard and perhaps kept or taken pictures of the extra ballots they received. That did not happen. Nevertheless, it is clear there is room to improve the system, he said.

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SENATOR KAWASAKI said there have been assertions of fraud and statements that something could have happened with ballots, but no proof has been presented. He said he hopes the person who said they received five ballots comes in and signs an affidavit attesting to that fact. He noted that people who contacted his office with ballot questions declined to follow through to help start an investigation. He opined that the lieutenant governor did a good job with the Ballot Measure 2 recount and lauded the work of election workers from both sides of the aisle in Fairbanks. He reiterated the need for proof that there really is a problem.

SENATOR KAWASAKI said he would like to hear from the foreign national who received a ballot because that person did something illegal if they voted the ballot. To the person who was surprised that their voting station had changed after they applied for a PFD, he pointed out that they attested to their mailing address and where they are domiciled on the dividend application. The Division of Election uses that address.

[4:47:45 PM](#)

SENATOR KAWASAKI asked to hear:

- 1) about the errors in the last election and whether they were material,
- 2) how chain of custody would work, and
- 3) about the destruction of ballots at the precinct level.

He described the process when his mother made a mistake on her ballot. The ballot was torn in half, put in an envelope that was sealed and certified, and sent to the Division of Elections. The ballots in each precinct are sequenced and each one is accounted for. He said he believes that process is in regulation but he would like to know for sure.

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MR. SHANIGAN said that regarding destruction of ballots, it might be necessary to get testimony from people who testified in the Miller v. Treadwell and Nageak v. Mallott cases. He noted that the sponsor's office has had conversations with the Division of Elections regarding ballot destruction in rural areas. He said the bill is targeting errors, not fraud. He said he is not questioning the integrity of election workers. The errors are most likely due to lack of training and flawed processes.

CHAIR SHOWER asked him to discuss signature verification in Anchorage versus the state.

MR. SHANIGAN said the Division of Elections said it can only validate signatures manually, but the Municipality of Anchorage has a software program they use for their elections and they also contract with the City and Borough of Juneau to validate signatures in those elections.

MR. SHANIGAN said, with regard to the lack of evidence, the 113,000 records that were lost in the data breach is evidence. He added that "hundreds of people" from multiple districts contacted the sponsor's office about getting more than one ballot and some have said they are willing to sign affidavits and testify. He said there is a lot of circumstantial evidence that raises question about the integrity of the last election.

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CHAIR SHOWER said every person his office talked to said they would be willing to testify or talk to a law enforcement officer. It is unfortunate that this administration did not inform people of the data breach, he said, because they would have been more vigilant if they had that information.

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MR. OGAN pointed out that the legislature's ethics statute requires people to avoid even the appearance of unethical behavior. He emphasized the need to establish robust chain of custody protocols and suggested that Alaska has the opportunity to create a system that is "a shining light on the hill" for all states to admire. He said both sides of the aisle could agree on such a system.

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SENATOR REINBOLD requested:

- 1) the Division of Elections talk about the difference between using a black marker or ink pen to mark a ballot,
- 2) the courts talk about Judge Crosby's decision to strike the witness signature requirement on absentee ballots and the potential for the court to show political bias, and
- 3) if the federal government should be involved in the inquiry about the last election.

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CHAIR SHOWER thanked the committee and held SB 39 in committee.

[5:02:14 PM](#)

There being no further business to come before the committee, Chair Shower adjourned the Senate State Affairs Standing Committee meeting at 5:02 p.m.