

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

March 5, 2024

3:30 p.m.

**DRAFT**

**MEMBERS PRESENT**

Senator Scott Kawasaki, Chair  
Senator Matt Claman, Vice Chair  
Senator Jesse Bjorkman  
Senator Bill Wielechowski  
Senator Kelly Merrick

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 129 (JUD)

"An Act relating to voter registration; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 246

"An Act relating to a legal fund to pay attorney fees and costs in an election contest; and providing for an effective date."

- HEARD & HELD

PRESENTATION: ALASKA DIVISION OF ELECTIONS

- HEARD

SENATE BILL NO. 232

"An Act relating to voter preregistration for minors at least 16 years of age."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 129

SHORT TITLE: ELECTIONS: VOTER REG./LEGAL FUND/COMMS

SPONSOR (s) : JUDICIARY

03/22/23 (H) READ THE FIRST TIME - REFERRALS  
03/22/23 (H) STA, JUD  
03/28/23 (H) STA AT 3:00 PM GRUENBERG 120  
03/28/23 (H) Scheduled but Not Heard  
03/30/23 (H) STA AT 3:00 PM GRUENBERG 120  
03/30/23 (H) Heard & Held  
03/30/23 (H) MINUTE(STA)  
04/27/23 (H) STA AT 3:00 PM GRUENBERG 120  
04/27/23 (H) Moved CSHB 129(STA) Out of Committee  
04/27/23 (H) MINUTE(STA)  
04/28/23 (H) STA RPT CS(STA) 5DP 2AM  
04/28/23 (H) DP: CARPENTER, C.JOHNSON, ALLARD,  
WRIGHT, SHAW  
04/28/23 (H) AM: ARMSTRONG, STORY  
05/01/23 (H) JUD AT 1:00 PM GRUENBERG 120  
05/01/23 (H) Heard & Held  
05/01/23 (H) MINUTE(JUD)  
05/03/23 (H) JUD AT 1:00 PM GRUENBERG 120  
05/03/23 (H) Heard & Held  
05/03/23 (H) MINUTE(JUD)  
05/05/23 (H) JUD AT 1:00 PM GRUENBERG 120  
05/05/23 (H) Heard & Held  
05/05/23 (H) MINUTE(JUD)  
05/08/23 (H) JUD AT 1:00 PM GRUENBERG 120  
05/08/23 (H) Heard & Held  
05/08/23 (H) MINUTE(JUD)  
01/17/24 (H) JUD AT 1:00 PM GRUENBERG 120  
01/17/24 (H) Moved CSHB 129(JUD) Out of Committee  
01/17/24 (H) MINUTE(JUD)  
01/18/24 (H) JUD RPT CS(JUD) 4DP 2NR 1AM  
01/18/24 (H) DP: C.JOHNSON, CARPENTER, ALLARD, VANCE  
01/18/24 (H) NR: GRAY, GROH  
01/18/24 (H) AM: EASTMAN  
02/02/24 (H) TRANSMITTED TO (S)  
02/02/24 (H) VERSION: CSHB 129(JUD)  
02/05/24 (S) READ THE FIRST TIME - REFERRALS  
02/05/24 (S) STA, FIN  
03/05/24 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 246

SHORT TITLE: LEGISLATORS LEGAL FUND

SPONSOR (s) : WILSON

02/19/24 (S) READ THE FIRST TIME - REFERRALS  
02/19/24 (S) STA

03/05/24

(S)

STA AT 3:30 PM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

CAROL BEECHER, Director  
Division of Elections  
Office of the Lieutenant Governor  
Juneau, Alaska

**POSITION STATEMENT:** Presented on Alaska Division of Elections.

MICHAELA THOMPSON, Operations Manager  
Alaska Division of Elections  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions about the signature review process.

THOMAS FLYNN, Assistant Attorney General  
Alaska Department of Law  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions about AS 370(a).

REPRESENTATIVE SARAH VANCE, District 6  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of HB 129.

SENATOR DAVID WILSON, District N  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 246.

JULIA FONOV, Staff  
Senator David Wilson  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the sectional analysis for SB 246.

JOE HAYES, Staff  
Senator Scott Kawasaki  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented SB 232 on behalf of the sponsor.

AMY GALLOWAY, Teacher  
West Valley High School  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified by invitation on SB 232.

ALEX KOPLIN, President  
League of Women's Voters (LWV)  
Homer, Alaska

**POSITION STATEMENT:** Testified by invitation on SB 232.

MICHAEL GARVEY, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to HB 129.

#### **ACTION NARRATIVE**

[3:30:32 PM](#)

**CHAIR SCOTT KAWASAKI** called the Senate State Affairs Standing Committee meeting to order at 3:30 p.m. Present at the call to order were Senators Claman, Bjorkman, Wielechowski, and Chair Kawasaki. Senator Merrick arrived thereafter.

#### **PRESENTATION: ALASKA DIVISION OF ELECTIONS**

[3:31:15 PM](#)

**CHAIR KAWASAKI** announced the consideration of a presentation on the Alaska Division of Elections.

[3:32:11 PM](#)

**CAROL BEECHER**, Director, Division of Elections, Office of the Lieutenant Governor, Juneau, Alaska, moved to slide 2 and presented an overview on poll worker recruitment:

[Original punctuation provided.]

#### **Poll Worker Recruitment**

- **Early Voting and Absentee In-Person Sites**
  - 25 days prior to election day
  - 275 workers
- **401 Precincts**
  - Four workers each = 1,608 workers
  - Starts at 6:30am
  - Polls close at 8:00 pm
  - Counting - until complete
- **2022 Pay Increase**
  - \$20/hour for poll workers
  - \$25/hour for boards
  - Used state employees for many polling locations

MS. BEECHER said she could not speak to whether poll worker recruitment has been successful since the hiring has not yet occurred, but it will begin in May. She offered to provide the committee with an update once the process commences. They do plan to ask the state again to use state workers as that has worked really well.

[3:35:00 PM](#)

MS. BEECHER moved to slide 3 and listed ballot initiatives:

[Original punctuation provided.]

### **Ballot Initiatives**

- AS 15.45
  - Initiatives may not:
    - Dedicate revenue
    - Make or repeal appropriations
    - Create courts or define jurisdictions of courts or prescribe court rules
    - Enact local or special legislation
- AS 15.45.040
  - Initiatives must:
    - Be confined to one subject
    - Subject must be expressed in the title

[3:35:29 PM](#)

MS. BEECHER moved to slide 4 and elaborated on the initiative process:

[Original punctuation provided.]

### **Initiative Process AS.15.45**

#### **FILING AND COLLECTING SIGNATURES**

- File application
- 60 days to review
- Petition booklets circulated by committee
- One year to obtain signatures
- Petitions returned must be signed by qualified voters
  - Equal to 10 percent of those who voted in the preceding general election
  - Resident in at least 3/4ths of the house districts in the state

- o Signatures equal in number to at least 7 percent of those who voted in the preceding election in the house district
- 60 days for signature review

**CERTIFIED INITIATIVES**

- o 60 days for Lt. Governor to notify petition committee
- Petition is placed on ballot of first statewide general, special, special primary, or primary election held after
  - o Petition has been filled
  - o A legislative session has convened and adjourned and
  - o 120 days has expired since adjournment of the legislative session
- Lt. Governor holds public hearings in each judicial district
  - o If an act of the legislature that is substantially the same as the proposed law is enacted after the petition is filled and before the date of the election, the petition is void

MS. BEECHER noted that typically, the legislature doesn't adjourn early enough for the petition initiative to be included on the primary ballot. To achieve this, adjournment would have to occur by April 22.

[3:37:17 PM](#)

CHAIR KAWASAKI asked for a status update on the minimum wage initiative and the effort to appeal ranked choice voting.

[3:37:28 PM](#)

MS. BEECHER responded that both initiatives have fulfilled the requirements, but the final step for rank-choice voting is still in progress. One certification for the minimum wage initiative has been forwarded to the lieutenant governor for official completion, while the other for ranked choice voting is undergoing the same process. The lieutenant governor is required to conduct at least two public hearings for each petition that has advanced to this stage.

[3:38:09 PM](#)

SENATOR CLAMAN asked what still needs to be done for the ranked choice voting petition.

[3:38:20 PM](#)

MS. BEECHER replied that the division does not go through to verify for signatures, but follows a checklist to ensure all is correct.

[3:38:41 PM](#)

MS. BEECHER moved to slide 5 and listed technology upgrades:

[Original punctuation provided.]

### **Technology/Upgrades**

- **Security Measures**
  - Cameras
  - Window Film
  - CISA meetings and onsite training
  - Physical site updates
- **System Improvements**
  - myVoter portal
  - System in place to track anomalies in voter registration
- **Chain of Custody**
  - Ballot bag tracking

MS. BEECHER explained that the current camera setup only provides visibility into specific offices, meaning that if an incident occurred in a remote location, the division wouldn't be aware unless informed by the municipality. However, the recently installed cameras will enable remote viewing from the director's office in Juneau. The division has installed bullet proof window film, uses SISA, which is a federal security entity, has active shooter training, and has other upgrades such as doors and physical barriers to provide a separation to the staff. Enhancements to the myVoter portal will make resident addresses visible on the website. They have a system in place to track anomalies, such as if voter numbers were suddenly available to the dark web, they would know about it and be able to take active steps. Testing has shown that achieving timely delivery of certain measures to specific sites can sometimes pose challenges.

[3:41:40 PM](#)

CHAIR KAWASAKI inquired whether the system capable of detecting anomalies in voter registration is integrated into the automatic voter registration (AVR) system or exists separately. He sought

clarification on whether the system pulls in bad data and how it is handled.

[3:42:25 PM](#)

MS. BEECHER replied she would follow up with the committee on the intricacies of the myVoter system. She explained that this system takes a broader approach and identifies unusual trends among groups of voters. As an example, she mentioned a scenario where a group of individuals who typically voted in person suddenly began requesting absentee ballots, prompting additional review.

[3:43:06 PM](#)

CHAIR KAWASAKI asked if extra staff are necessary for the review process.

[3:43:10 PM](#)

MS. BEECHER replied no and said reports are generated.

[3:43:20 PM](#)

SENATOR MERRICK joined the meeting.

[3:43:28 PM](#)

SENATOR WIELECHOWSKI asked how witness signature requirements are verified.

[3:43:55 PM](#)

MS. BEECHER replied that many signatures are obtained during the initial registration process or directly from the Department of Motor Vehicles (DMV). She noted that the signature verification process is conducted in-house rather than by trained professionals but is designed to detect unusual patterns. However, she acknowledged that individuals may change their signatures as they age.

[3:44:43 PM](#)

SENATOR WIELECHOWSKI asked about witness signatures for mail-in ballots specifically.

[3:44:48 PM](#)

MS. BEECHER replied yes and said mail-in ballots only require a witness signature, and there is no verification and process.

[3:44:52 PM](#)

SENATOR WIELECHOWSKI asked if the requirement includes a complete name or date of birth.

[3:44:58 PM](#)

MS. BEECHER replied that she does not believe so but would follow up with an answer.

[3:45:10 PM](#)

SENATOR WIELECHOWSKI asked for confirmation of his understanding that Division of Elections rejected over 2,700 ballots in the 2022 special primary election because of missing witness signatures.

[3:45:24 PM](#)

MS. BEECHER replied that is correct.

SENATOR WIELECHOWSKI opined that the requirement seems meaningless.

MS. BEECHER replied that it was a serious problem that occurred because many people thought the emergency order from the court was still in place, leading them to believe that a second signature wasn't required.

[3:45:43 PM](#)

SENATOR WIELECHOWSKI provided a hypothetical scenario involving a falsified witness signature and inquired whether the department would reject it.

[3:45:56 PM](#)

MS. BEECHER replied that she does not believe so but would follow up with the committee.

[3:46:00 PM](#)

SENATOR WIELECHOWSKI asked if she believes it was fair to disenfranchise 2,700 people due to the inability to verify an arbitrary witness signature.

[3:46:20 PM](#)

MS. BEECHER expressed her belief that despite its significance, there is a requirement outlined in statute for a second witness signature.

[3:46:40 PM](#)

SENATOR WIELECHOWSKI pointed out that in the 2020 election, there was no requirement for these signatures and asked if the department had any evidence of fraudulent mail-in ballots that were counted as a result.

[3:46:57 PM](#)

MS. BEECHER replied that she does not believe so.

[3:47:07 PM](#)

SENATOR WIELECHOWSKI noted that the department had previously posted daily updates on signature reviews for ballot measures and inquired whether the same practice was being followed this year.

[3:47:22 PM](#)

MS. BEECHER replied that she believes updates were posted weekly.

[3:47:28 PM](#)

SENATOR WIELECHOWSKI asked why ballots were not posted daily.

[3:47:36 PM](#)

MS. BEECHER replied that she is unaware of any specific reason.

[3:47:46 PM](#)

SENATOR WIELECHOWSKI asked if any signatures were found to be fraudulent or disregarded on either of the two initiatives.

[3:48:04 PM](#)

MS. BEECHER replied that she does not believe so, but suggested that the list provided to the committee might contain that information. She invited the Operations Manager for the Alaska Division of Elections to provide clarification.

[3:48:31 PM](#)

MICHAELA THOMPSON, Operations Manager, Alaska Division of Elections, Juneau, Alaska, answered questions about the signature review process. She explained that the numbers were posted 2-3 times per week as staff were able to transfer the information to the website. Thompson mentioned that during the verification process, some signatures were rejected for various reasons, including not providing all the information required. No signatures had been flagged as fraudulent and turned over to the division. However, the review process for those petitions had not yet been completed but was scheduled to be done this week.

[3:49:24 PM](#)

SENATOR WIELECHOWSKI asked whether the department would disregard a signature on the petition if it differed from the one on file.

[3:49:39 PM](#)

MS. THOMPSON replied that there is no requirement for signatures to match. She said a signature would only be flagged if suspicious patterns were detected, but there is no obligation to match signatures to those in the system according to statute.

[3:50:18 PM](#)

CHAIR KAWASAKI inquired whether there are specific triggers for flagging signatures or if it is at the discretion of the staff.

[3:50:48 PM](#)

MS. THOMPSON replied that staff consider handwriting or details that appear unusual. Due to the high volume of signatures that need processing within the 60-day period, the process is largely visual. A trigger might include a signature that appears entirely different from the name shown on the identifier.

[3:52:16 PM](#)

SENATOR BJORKMAN mentioned discussions from last year about releasing all voting data after the election to mitigate long wait times for election results. He inquired whether the department had considered releasing all raw data on ranked choice votes on election night, excluding the results.

[3:53:15 PM](#)

MS. BEECHER confirmed that there have been numerous discussions on this matter. She noted that there is currently legislation under consideration that would mandate the release of voting data. The department is assessing what this process might involve, including the establishment of a JSON file format. However, she raised concerns about potential disenfranchisement of rural voters, who can only submit a hand count and mail their ballot in. Therefore, the information is not received until the ballot is delivered.

[3:54:17 PM](#)

SENATOR BJORKMAN disagreed with her use of the term "disenfranchisement" and clarified that all votes in Alaska are eventually tallied, although on a different timeline compared to some other states. He explained that disenfranchisement means not counting votes, which is not the case in Alaska. He emphasized the importance of making public data available to Alaskan voters as soon as possible, which wouldn't necessarily require the release of all data. He expressed his belief that people have a desire to access this data and questioned the benefits of waiting for all votes to be counted before releasing any information.

[3:56:15 PM](#)

SENATOR WIELECHOWSKI said it is his understanding per statute the department must release the precinct results tape on election night for ranked choice voting.

[3:56:30 PM](#)

MS. BEECHER asked if this is regarding AS 370(a) and invited a representative from the Department of Law to respond.

[3:57:05 PM](#)

THOMAS FLYNN, Department of Law, Anchorage, Alaska, answered questions about AS 370(a). He stated that the interpretation of the regulation is that it is not required under statute.

[3:57:31 PM](#)

SENATOR WIELECHOWSKI disagreed and expressed his understanding that the requirement was indeed necessary. He emphasized the importance of making data available to the public when results are accessible. He requested a legal opinion.

[3:58:14 PM](#)

CHAIR KAWASAKI said the committee would obtain a legal opinion. He mentioned that if further statute clarification is needed, the committee could consider pursuing that in the future.

[3:58:50 PM](#)

SENATOR WIELECHOWSKI read language stating, "when a count of ballots is completed in no event later than a day after the election. The election board shall make a certification and duplicate of the results, the certificate contains the number of votes cast for a candidate in a general election, the number of votes at each round of the ranked choice tabulation process under AS 15.15.350, and the number of votes for each proposition." Asked for confirmation of his understanding that this indicates the board shall do so in no event later than the day after the election.

[3:59:44 PM](#)

MR. FLYNN clarified that the challenge lies in the fact that the ranked-choice tabulation cannot take place until all ballots are received. Each precinct does not have access to all the ballots.

[4:00:06 PM](#)

SENATOR WIELECHOWSKI suggested that a legal opinion would be beneficial.

**HB 129-ELECTIONS: VOTER REG./LEGAL FUND/COMMS**

[Contains discussion of SB 138]

[4:00:32 PM](#)

CHAIR KAWASAKI announced the consideration of HOUSE BILL NO. 129 "An Act relating to voter registration; and providing for an effective date."

[4:01:13 PM](#)

REPRESENTATIVE SARAH VANCE, District 6, Alaska State Legislature, Juneau, Alaska, sponsor of HB 129, said HB 129 is intended to better restore the integrity in the election process in Alaska and build public trust in one of the most foundational rights. The need to bring election reform comes directly from the outcry of the people of Alaska. For many years, voters have been highlighting various issues and have expressed a clear lack of trust in the voting process. Despite some dismissing these concerns as mere speculation, the results are evident in the 44 percent turnout in the 2022 general election, marking the lowest voter turnout rate in decades for Alaska. art.I, sec. II, Constitution of the State of Alaska states that all political power is inherent in the people and that government originates solely from their will. She stated that Alaskans have spoken, and it is time to focus efforts toward the foundation of the government: the voter. art. V of the Alaska Constitution serves as a basic framework for elections and grants authority to the legislature to prescribe qualifications, disqualifications, methods of voting, precincts, and registration by law.

[4:02:56 PM](#)

REPRESENTATIVE VANCE moved to slide 2 and explained the excessive voter registration rate:

[Original punctuation provided.]

**Why does Alaska have a 106 percent voter registration rate?**

Transit Population

Intent of Returning

PFD Automatic Voter Registration

REPRESENTATIVE VANCE said that HB 129 addresses the concerns by requiring the Director to send letters to confirm the addresses of all voters not domiciled in Alaska in an easier system to cancel voter registration.

[4:03:21 PM](#)

REPRESENTATIVE VANCE moved to slide 3 and listed regulations that Division of Elections would adopt:

[Original punctuation provided.]

**DIVISION OF ELECTIONS SHALL ADOPT REGULATIONS**

1. Annual Review
2. Review Data Breaches
3. Compare Eligible Voters
4. Specify Databases
5. Maintenance Schedule
6. Registration Cancellation

REPRESENTATIVE VANCE noted that HB 129 adopts best practices to validate Alaska voter status with multiple databases and to disclose data breaches within 30 days if it does not interfere with an investigation.

[4:03:46 PM](#)

REPRESENTATIVE VANCE moved to slide 4 and explained the annual review process:

[Original punctuation provided.]

**ANNUAL REVIEW**

January of each year, the director shall examine the master register, and shall send a notice requesting address confirmation or correction to each voter

**The notice will be sent by forwardable mail and email and must include a postage prepaid, pre-addressed return card.**

**The notice must explain to the voter that their registration will be inactivated unless they respond within 45 days.**

[4:04:29 PM](#)

REPRESENTATIVE VANCE moved to slide 5 and listed notice requirements:

[Original punctuation provided.]

**THE DIRECTOR SHALL SEND THE NOTICE...**

1. MAIL RETURNED TO THE DIVISION UNDELIVERABLE
2. NO CONTACT & NOT VOTED IN 2 YEARS
3. WHO, IN THE PRIOR TO YEARS
  - a. registered to vote in another state
  - b. received a driver's license in another state
  - c. registered a vehicle in another state
  - d. served on a jury in another state
  - e. received benefits in another state
  - f. established residence in another state...

[4:05:14 PM](#)

REPRESENTATIVE VANCE moved to slide 6 and explained data breaches:

[Original punctuation provided.]

**REVIEW DATA BREACHES**

**Regulations must provide for review of the register for data breaches...**

State officials said "outside actors" accessed the data through a flaw in the online voter registration system, which has since been patched. They were able to pull registered voters' names, dates of birth, state identification numbers, last four digits of Social Security numbers, addresses and party affiliations. (Party affiliations, names and addresses are already publicly available through the state's voter information database.) ADN article Dec. 3, 2020

REPRESENTATIVE VANCE recalled that 113,000 Alaskans had their data breached in 2020 and many people were not dismayed to know that breach occurred prior to the election but they were notified until after the election. She said this slide simply states that disclosure to those who were impacted must occur within 30 days as long as it does not interfere with an investigation.

[4:05:48 PM](#)

REPRESENTATIVE VANCE moved to slide 7 and listed non-eligible voters:

[Original punctuation provided.]

**COMPARE ELIGIBLE VOTERS**

Compare persons eligible to vote in the state,

- deceased voters
- felons
- not qualified to vote under AS 15.05
- persons registered to vote in another state

[4:06:05 PM](#)

REPRESENTATIVE VANCE moved to slide 8 and listed databases that Division of Elections would use in reviewing the master register:

[Original punctuation provided.]

**SPECIFY DATABASES**

The regulations must specify records and databases for use in reviewing the master register;

- USPS National Change of Address Database
- Permanent Fund Dividend recipient database
- Alaska Court System database
- DMV records
- Department of Corrections
- Property & Sales Tax Records
- Social Security Records
- Municipal Assessor Database
- Social Security Administration Death Index
- Alien Database by Homeland Security
- Jury Duty Records

REPRESENTATIVE VANCE added that the division already utilizes most of the listed items. However, she encouraged using each of the tools to ensure voter rolls are accurate.

[4:06:41 PM](#)

REPRESENTATIVE VANCE moved to slide 9 and explained the maintenance schedule:

[Original punctuation provided.]

#### **MAINTANENCE SCHEDULE**

The director shall develop a written maintenance schedule and guideline manual for the system...

- provide a report on the system to the Legislature on the first day of session
- inform a voter of the criteria to qualify as a voter and penalties for misconduct.

REPRESENTATIVE VANCE expressed that there is a lack of clarity in the process. She said a maintenance schedule would ensure that successors in the division have access to coherent information for the review process.

[4:07:39 PM](#)

REPRESENTATIVE VANCE moved to slide 10 and spoke to registration cancellation:

[Original punctuation provided.]

#### **REGISTRATION CANCELLATION**

The director shall develop a process to allow a voter to cancel the voter's registration...

- in person
- before an election official
- electronically "email"
- display instructions for a voter to cancel the voter's registration at each polling place.

REPRESENATIVE VANCE opined that voting tends to be the last thing on people's minds until closer to the election date. She said in summary, having a secure and trustworthy election process begins with accurate voter rolls and this process allows for voters to cancel their registration more easily. Over-registering voters makes the election system inaccurate and vulnerable to the actions of bad actors. Compromised data allows those with nefarious intent to exploit inactive voters and invite those who do not live in Alaska to influence our elections.

[4:09:09 PM](#)

SENATOR WIELECHOWSKI said he supports the general concept of HB 129. He wondered how many additional voters would receive activation notices.

[4:09:30 PM](#)

REPRESENTATIVE VANCE replied that is a more appropriate question for Ms. Beecher.

[4:09:49 PM](#)

CHAIR KAWASAKI noted that an individual's registration could be canceled for various reasons, such as registering in another state, serving on a jury, receiving benefits, or establishing residency elsewhere. He mentioned that even registering a vehicle or establishing residency in another state did not seem like sufficient grounds for rule.

[4:10:37 PM](#)

REPRESENTATIVE VANCE replied that these triggers prompt the division to send a notification for verification in the form of a postcard and is not automatically inactivating them.

[4:11:05 PM](#)

CHAIR KAWASAKI asked for an explanation of the 45-day timeline under Section 2 of HB 129, if it is too short, and if it had been discussed.

[4:11:47 PM](#)

REPRESENTATIVE VANCE replied that the 45-day timeline was recommended by the division. With email and address information available, this timeframe provides one and a half months for individuals to respond. The intention is to classify individuals as inactive. The trigger provision specifies that voting would restore active status for individuals previously classified as inactive.

[4:12:58 PM](#)

CHAIR KAWASAKI asked if an inactive voter would be on the voter roll.

[4:13:14 PM](#)

REPRESENTATIVE VANCE invited Ms. Beecher to speak to voter rolls.

[4:13:39 PM](#)

SENATOR CLAMAN referred to Section 1 of HB 129 and page 4 of the presentation, noting inconsistencies between the two. He inquired whether notices are sent to every voter on the rolls.

[4:14:27 PM](#)

REPRESENTATIVE VANCE asked him to clarify which section he is referencing.

[4:14:35 PM](#)

SENATOR CLAMAN said he is specifically reviewing the sectional analysis. He noted an inconsistency between the analysis and the slide.

[4:15:28 PM](#)

REPRESENTATIVE VANCE responded that the language in the slide deck was mirrored after HB 129, and the amended language simply states that when the director examines the master register, they would send the notice requesting confirmation of address for correction.

[4:15:55 PM](#)

SENATOR CLAMAN asked to whom.

[4:16:03 PM](#)

REPRESENTATIVE VANCE replied that the notice would be sent to each voter.

[4:16:06 PM](#)

SENATOR CLAMAN asked for confirmation of his understanding that HB 129 requires the division to send a notice to every registered voter each January.

[4:16:29 PM](#)

REPRESENTATIVE VANCE clarified that notices would be sent to each voter who has:

1. Had their mail returned
2. Has not contacted the division
3. Has not voted or appeared to vote within two years
4. Has appeared to establish residency after registering to vote in the state.

She confirmed that the notice would only be sent to individuals who have met the qualifications outlined in bullet points 1-3 under Section 1 of HB 129.

[4:17:45 PM](#)

SENATOR CLAMAN asked for confirmation of his understanding that there is a limited number of people that the division sends the notices to.

[4:17:53 PM](#)

REPRESENTATIVE VANCE replied that is correct.

[4:17:56 PM](#)

SENATOR CLAMAN asked how the state obtains information demonstrating non-residency.

[4:18:09 PM](#)

REPRESENTATIVE VANCE replied that the director utilizes the ERIC System and depends on the public to notify the division of residency changes outside the state or through outreach efforts such as obituaries. Data from the Permanent Fund Dividend (PFD) is also utilized.

[4:19:16 PM](#)

SENATOR WIELECHOWSKI inquired about Section 1, Point 2 of HB 129 and asked whether updating voter registration counts through a PFD application or DMV registration count as a trigger for sending notices.

[4:19:54 PM](#)

REPRESENTATIVE VANCE replied that these are appropriate questions for the division.

[4:20:11 PM](#)

CHAIR KAWASAKI said that the language speaks to the legislative intent and shared that he personally had not had to change his registration, as it is a simple and automatic process. He said it is more of a technical question.

[4:20:52 PM](#)

REPRESENTATIVE VANCE said the intent of HB 129 is to clean up voter rolls.

[4:21:05 PM](#)

SENATOR WIELECHOWSKI expressed concern about the large transient population in his district and emphasized the need to prevent disenfranchisement of these individuals. He highlighted that if the department is mandated to send a notice but the address has expired, those individuals would never receive notification.

[4:22:05 PM](#)

SENATOR CLAMAN said a bill was heard last year that was critical of the ERIC system and asked Representative Vance for her opinion.

[4:22:27 PM](#)

REPRESENTATIVE VANCE mentioned that there has been controversy surrounding the ERIC system. She expressed concerns about its reliability due to fewer states participating, resulting in less robust data. She also noted that it is not a government-operated system, which raises questions about its security. She emphasized that HB 129 aims to address these concerns by ensuring that the public relies on trusted data sources.

[4:23:47 PM](#)

SENATOR CLAMAN asked if there are any other national sources with this data.

[4:24:03 PM](#)

REPRESENTATIVE VANCE responded that she believes there was previously available data when she initially introduced HB 129.

[4:24:24 PM](#)

CHAIR KAWASAKI opined that he is unsure if an adequate substitute for the ERIC system exists.

[4:25:22 PM](#)

CHAIR KAWASAKI opened public testimony on HB 129.

[4:25:56 PM](#)

TOM STEWART, Director of Policy, Secure Democracy USA, Baltimore, Maryland, testified on HB 129. He stated that there are opportunities to strengthen election administration in Alaska and emphasized Secure Democracy's commitment to collaborating with policy leaders to improve voter access across the state. He urged committee members to take further action to enhance the election process in Alaska, including by reaching out to Alaskan voters who have changed their address. The organization supports cross-checking voter registration across multiple voter databases. He encouraged the committee to carefully review the timeline, noting that many voters may have moved and not voted in the previous two years as opposed to the previous two general elections, so as in current law, the division should activate voter registration. A shorter period might result in a surge of ballots needing further review. He encouraged members to collaborate with Director Beecher to understand the potential impact on the increase in questioned ballots. He expressed appreciation for the committee's efforts to bolster voter confidence and encouraged the passage of bipartisan legislation, such as last year's SB 138, which would align Alaska's election systems with practices of other legislatures. SB 138 would strengthen election security through

signature matching and would replace the witness requirement that is burdensome to rural and elderly voters.

[4:30:40 PM](#)

SENATOR CLAMAN asked Mr. Stewart to limit his public testimony to HB 129.

[4:31:12 PM](#)

SENATOR CLAMAN acknowledged that he highlighted one of his questions about language under the legislation that states, "the notice is sent to the voter." In reality, it may not have always been received. He asked how he believes Mr. Stewart how the legislature could balance this issue in a timely manner considering the possibility that some people may not receive mail.

[4:31:59 PM](#)

MR. STEWART responded that "sent" does not necessarily equate to "received." He noted that in other states, the current process often involves sending two notices. His organization is concerned about whether HB 129 would lead to an increase in questioned ballots which in a general election year, could be a real problem.

[4:33:34 PM](#)

CHAIR KAWASAKI announced public testimony.

[4:34:25 PM](#)

ALEX KOPLIN, League of Women's Voters, Alaska, Homer, Alaska, testified on HB 129. He said HB 129 is a voter suppression bill and a negative law proposal that would purge voters from being able to vote as a result of severe guidelines. While many non-partisan groups advocate for increased voter turnout, this legislation is restrictive in nature. Testimony on HB 129 in regard to the 2022 election did not indicate a lack of trust in elections, and opined that Division of Elections does a good job. He stated that elections are currently functioning normally and expressed concern that this regressive bill, which passed the House chamber, does not encourage voting. This legislation would punish voters based on misinformation. He said he trusts the division, which already has procedures in place, and argued that HB 129 would consume unnecessary time and energy. In reality, HB 129 is frightening.

[4:38:23 PM](#)

MICHAEL GARVEY, representing self, Anchorage, Alaska, testified in opposition to HB 129. He said he is Advocacy Director for

ACLU of Alaska. He stated that HB 129 would make it more challenging for rural voters to access election systems. He explained that the bill would modify the steps for identifying and notifying voters who would be inactivated, reducing the timeframe from four to two years. He highlighted that infrequent voters, especially those with limited English proficiency, would be affected by this legislation. The 45-day timeline disproportionately affects rural Alaskan voters for whom mail and internet service is less reliable than in urban areas. He stated that voting is a civil and constitutional right and suggested removing the witness requirement on absentee ballots, which he believes serves no security purpose. He urged the committee to advance legislation that address these issues rather than HB 129.

[4:40:52 PM](#)

CHAIR KAWASAKI left public testimony open on HB 129.

(Timestamp)

CHAIR KAWASAKI held HB 129 in committee.

#### **SB 246-LEGISLATORS LEGAL FUND**

[4:41:33 PM](#)

CHAIR KAWASAKI announced the consideration of SENATE BILL NO. 246 "An Act relating to a legal fund to pay attorney fees and costs in an election contest; and providing for an effective date."

[SB 246, version S, is SB 246, version A.]

[4:42:01 PM](#)

SENATOR DAVID WILSON, District N, Alaska State Legislature, Juneau, Alaska, paraphrased the sponsor statement for SB 246:

[Original punctuation provided.]

#### **Sponsor Statement Senate Bill 246 v. S**

**"An Act relating to a legal fund to pay attorney fees and costs in an election contest; and providing for an effective date."**

Currently, there is no clear mechanism for legislators to cover legal expenses incurred by an election contest, which can be substantial and

burdensome. SB 246 outlines how legislators may use a legal fund to pay attorney fees and costs incurred if their election is challenged. The fund will be regulated by the Alaska Public Offices Commission. This bill provides a way for legislators to receive donations from supporters to defend their election in court.

SB 246 is intended to protect the integrity of the electoral process and ensure legislators are not deterred from seeking or holding office by the threat of costly litigation. To promote transparency and accountability, the bill sets limits and disclosure requirements for the contributions and expenditures of the fund. The Alaska Public Offices Commission will adopt regulations covering how to establish a legal fund, what expenses are allowed from a legal fund, what to do with surplus money from a legal fund, and how to disclose contributions and expenditures from a legal fund. I urge your support for SB 246.

SENATOR WILSON said he would work with the Senate State Affairs Committee, stakeholders, and the Division of Elections to make needed changes to SB 246. He stated that there is a clear delineation that APOC would establish and implement a fee schedule, after elections.

[4:44:38 PM](#)

JULIA FONOV, Staff, Senator David Wilson, Alaska State Legislature, Juneau, Alaska, presented the sectional analysis for SB 246.

[Original punctuation provided.]

**Sectional Analysis  
Senate Bill 246 v. A**

**"An Act relating to a legal fund to pay attorney fees and costs in an election contest; and providing for an effective date."**

**Section 1 (Page 1, line 4, through page 4, line 1):  
Amends AS 15 (Elections) .13 (State Election Campaigns)**

**.116 (Disbursement of campaign assets after election)  
Page 2, line 17, through line 21: (a) (6) Repeals ambiguous language regarding a fund for costs related to an election challenge. Replaces it with a reference**

to a legal fund as established under section 3 of this bill.

**Section 2: Adds a new subsection to AS 24 (Legislature and Lobbying) .60 (Standards of Conduct) .080 (Gifts).**

**Page 4, line 2 through line 4:** (1) Specifies that contributions made to a legal fund as established under section 3 of this bill do not qualify as gifts if the reporting requirements under section 3 of this legislation are met.

**Section 3: Adds a new section .111 (Legal funds) to AS 24 (Legislature and Lobbying) .60 (Standards of Conduct).**

**Page 4, line 5 through line 17:** (a) Allows a legislator to establish a legal fund to pay attorney fees and costs incurred in an election contest.

(b) Specifies that a legislator may, at any time, solicit and accept contributions to a legal fund established

under this section. Requires the Alaska Public Offices Commission to adopt regulations on the following:

(1) establishing a legal fund,  
(2) identifying allowable uses of money in and the disposition of surplus money from a legal fund, and  
(3) requiring disclosure of contributions to and expenditures from a legal fund.

(c) Specifies a contribution to a legal fund is not subject to the restrictions on fund raising during session or the disclosure requirements for gifts under the Legislative Ethics Act.

**Section 4: Effective date.** Provides an immediate effective date

MS. FONOV added that as it is written, SB 246 only applies to legislators. Following conversations with legislators and regulators, the bill sponsor is pursuing changes for legal funds to apply to all candidates.

[4:47:35 PM](#)

CHAIR KAWASAKI asked if SB 246, version S, that the committee received, is the correct version.

[4:47:46 PM](#)

CHAIR WILSON acknowledged a typo in the bill.

[4:47:55 PM](#)

SENATOR CLAMAN acknowledged that there are currently no campaign finance limits and inquired whether the intent of SB 246 is to ensure that legal funds would not be subject to finance limits on how much a person can contribute.

[4:48:23 PM](#)

SENATOR WILSON noted that SB 246 does not establish campaign finance limits but suggested that it could be considered. He pointed out that legislators can currently receive unlimited campaign contributions that can be allocated toward legal defense funds.

[4:48:48 PM](#)

SENATOR CLAMAN noted that while in session, legislators are prohibited from raising money for reelection. However, during the session, they are allowed to raise funds for a legal fund to cover legal expenses.

[4:49:06 PM](#)

SENATOR WILSON stated that under the Ethics Act, legislators can currently receive gifts under \$250 for the purposes of a campaign fund. However, there is no requirement for disclosure information regarding the expenses of those funds that can be received while in session.

[4:49:28 PM](#)

SENATOR CLAMAN asked for confirmation of his understanding that legislators can receive legal contributions to pay for legal expenses without a disclosure requirement.

[4:49:36 PM](#)

SENATOR WILSON replied yes and said the contribution would need to remain under \$250 in accordance with the Ethics Act.

[4:49:55 PM](#)

CHAIR KAWASAKI opened public testimony on SB 246; finding none, he closed public testimony.

[4:50:27 PM](#)

CHAIR KAWASAKI held SB 246 in committee.

#### **SB 232-VOTER PREREGISTRATION FOR MINORS**

[4:50:44 PM](#)

CHAIR KAWASAKI announced the consideration of SENATE BILL NO. 232 "An Act relating to voter preregistration for minors at least 16 years of age."

[4:51:11 PM](#)

JOE HAYES, Staff, Senator Scott Kawasaki, Alaska State Legislature, Juneau, Alaska, presented SB 232 on behalf of the sponsor:

[Original punctuation provided.]

**Sponsor Statement**

**Senate Bill 232**

**"An Act relating to voter preregistration for minors  
at least 16 years of age."**

With the implementation of automatic registration through the PFD application, Alaska took one step closer to ensuring comprehensive voter registration. Through Senate Bill 232 Alaskans who are at least 16 years of age will be able to pre-register to vote, taking that effort the next step.

SB 232 focuses on facilitating and developing future generations of eligible voters, into confident and active ones. Across the United States younger voters are becoming more engaged in our electoral processes, and it now falls to us in the legislature to continue to advocate and expand opportunities for young Alaskans to make their voices heard.

SB 232 allows these citizens to voluntarily pre-register and in accordance with existing Alaska statute, become eligible to be placed on voting rolls 90 days before their 18th birthday. Current statute allows Alaskans who are 17 years old to be able to register to vote within 90 days of their 18th birthday. By expanding the statute to include citizens who are 16 years old, we create a longer period of time where young Alaskans are aware of the rights, they will gain upon turning 18 and can begin to develop the habits of informed and engaged voters.

Pre-registration is increasingly common across the nation, with 23 states and the District of Columbia offering some form of preregistration before an individual turns 18. The results in these places have shown increases in younger voter participation, which leads to lifelong voters. SB 232 empowers families, communities and educators to foster civic engagement

from a younger age, while also adding an additional opportunity to ensure that every citizen in Alaska is registered to vote. This simple change to Alaska's current voter eligibility requirements would afford a unique opportunity to young Alaskans to be engaged and informed about current events that they will soon be able to vote upon and thereby laying a strong foundation in civics.

As Alaskans we maintain one of the most unique and engaged political system across the country, and by ensuring early access to voter registration, materials and resources, we are ensuring greater participation from younger voters for generations to come.

[4:54:01 PM](#)

MR. HAYES presented the sectional analysis for SB 232:

[Original punctuation provided.]

**Sectional Analysis**  
**Senate Bill 232**  
**"An Act relating to voter preregistration for minors**  
**at least 16 years of age"**

Section 1 - Amends AS 15.07.040 : Changes when Alaska residents can pre-register to vote to 16 years of age. Current statute allows citizens who are 17 years old to be able to register to vote within 90 days of their 18th birthday.

[4:54:38 PM](#)

SENATOR CLAMAN asked what would occur under SB 232 if someone registered 80 days before their birthday.

[4:55:05 PM](#)

MR. HAYES said SB 232 would cover them and change the registration age from 17 to 16 years.

[4:55:26 PM](#)

CHAIR KAWASAKI announced invited testimony and opened public testimony on SB 232. He introduced Amy Galloway, Alaska 2020 Teacher of the Year, detailed her work history, and thanked her for her dedication to her students.

[4:56:49 PM](#)

AMY GALLOWAY, Teacher, West Valley High School, Fairbanks, Alaska, invited testimony for SB 232. She expressed her belief that the bill would be a powerful tool to support voter turnout. Galloway explained that her students often struggle to understand the voter registration process and would benefit from tools to help them navigate it. With several upcoming elections in Alaska, she emphasized the importance of ensuring students are informed about the process. Making voter registration easier is crucial for protecting democracy in Alaska and suggested that schools are the ideal place to teach students how to register to vote. Under SB 232, teachers could offer optional instruction on voter registration. She recalled her experience attending a local government candidate forum with thousands of participants and highlighted the low participation in voter registration among students due to the 18-year-old age requirement. In preparation for her testimony, she surveyed her senior class about lowering the voting registration age and found that the majority believed it would make a difference. One student stayed after class and mentioned that their student council adopted a resolution to lower the voting registration age. Allowing 16-year-olds to pre-register to vote would engage them in the electoral process and increase informed voter turnout among 18 to 24-year-olds. She pointed out that 18 states, including Florida, Louisiana, and Hawaii, already permit pre-registration at 16-years-old, and she stated her belief that Alaska should follow suit.

[5:02:00 PM](#)

CHAIR KAWASAKI asked about the current size of her classes.

[5:02:13 PM](#)

MS. GALLOWAY responded that most of her classes consist of around 29 students. However, higher numbers are accommodated in World and U.S. History classes to accommodate the need to rebuild other programs. She expressed concern that as class sizes increase, specialty classes are lost due to lack of funding. There is a risk of potentially losing advanced placement (AP) government as a result.

[5:03:41 PM](#)

ALEX KOPLIN, League of Women's Voters, Homer, Alaska, invited testimony for SB 232. He highlighted several reasons why the League of Women Voters supports preregistration, including studies that have shown the impact of preregistration efforts. Koplin noted that 18 states, including Washington D.C., currently allow preregistration. SB 232 has the potential to bring about positive change in Alaska. Having voter drives in

high schools is an excellent avenue for civics education and allowing young students to complete voter applications at 16 would be an effective way to introduce topics issues and educate students on relevant issues. He spoke to the importance of SB 232 in ensuring readiness and lifelong political engagement among young people. He noted that many teenagers miss the deadline for voter registration. Allowing young people the opportunity to register to vote at an earlier age would address this issue. He suggested a shift from the approach that attributes young people as "lazy" or "uncaring" to one that emphasizes action and support. He said the League of Women Voters in Alaska fully supports SB 232.

[5:09:21 PM](#)

CHAIR KAWASAKI left public testimony open on SB 232.

(Timestamp)

CHAIR KAWASAKI held SB 232 in committee.

[5:10:16 PM](#)

There being no further business to come before the committee, Chair Kawasaki adjourned the Senate Resources Standing Committee meeting at 5:10 p.m.