

HB

257

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## OFFICE OF THE LT. GOVERNOR

DIVISION OF ELECTIONS  
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TO: All Senate Members

FROM: Sandra J. Stout   
Director

DATE: May 6, 1998

SUBJECT: House Bill 257

I would like to take this opportunity to discuss with you House Bill 257, an act relating to elections, to voter registration, and to candidates for election. The bill is scheduled on the Senate calendar for Thursday, May 7, 1998.

What follows is a brief analysis of the bill and why it is important to the division of elections.

### Voter List Maintenance

- ◆ Since the passage of the National Voter Registration Act (NVRA) in 1993, the division has been unable to purge the voter registration list.
- ◆ This is the state's second attempt to bring state law into compliance with the federal law. In 1996, legislation was passed but the US Department of Justice declared it violated the NVRA and authorized a lawsuit against the state. So far, the Department of Justice has refrained from actually filing the suit while the legislature is considering this corrective legislation.
- ◆ The list maintenance process will work as follows:
  - ◆ Each year a nonforwardable mailing will be sent to voters who, in the two years preceding, have had mail returned to the division; have not contacted the division; and have not voted or appeared to vote.
  - ◆ A second notice will be sent to those voters whose cards are returned by the US Postal Service as undeliverable or with a new forwarding address.
  - ◆ Voters have 45 days to respond to the second mailing. If no response is received, the voter will be placed on an inactive list.
  - ◆ If no there is voter contact during the following four years, the voter will be removed from the registration list.
- ◆ When a voter is placed on the inactive list, their name no longer appears on precinct registers or any list prepared by the division. A voter may become active at any time during that four year period by making contact with the division.

#### **Optical Scanning Ballot Tabulation**

- ◆ Explicit statutory authority assures that adoption of the optical scanning method does not create any legal difficulties.
- ◆ The director will have the authority to adopt regulations outlining procedures for the tabulation of optically scanned ballots.

#### **Absentee Voting by Personal Representative**

- ◆ Improves the absentee by personal representative process. It provides better accountability by requiring the personal representative to provide identification and sign a register before being issued ballots.
- ◆ This bill streamlines the process by decreasing the number of trips the personal representative is required to make. It would also decrease the number of signatures required. In 1996, there were 513 absentee by personal representative ballots. Of those, 15 percent were rejected for insufficient witnessing and signatures.
- ◆ Although the process has been simplified, additional security measures have been added. This important protection will reduce the possibility of voter fraud.

#### **Absentee Voting by Fax**

- ◆ After implementing absentee voting by fax in 1996, the division quickly realized how valuable a tool it was for voters not receiving ballots in time. However, because the application period ended four days before an election, many could not be served by the process.
- ◆ The application deadline for absentee voting by fax to the day before an election. The current deadline is four days prior to an election.

#### **Official Election Pamphlet**

- ◆ The bill proposes only technical changes associated with the official election pamphlet.

#### **Federal Unemployment Tax Exemption**

- ◆ The state will no longer be required to pay unemployment taxes for approximately 2,500 temporary election workers who make less than \$1,000.
- ◆ Federal legislation was passed – the Balanced Budget Act of 1997 – allowing states to exempt certain election workers from federal unemployment tax. In order to take advantage of this exemption, the state must adopt the federal language into state law.
- ◆ This will save the division of elections \$10,000 in an election year. This savings is reflected in the accompanying fiscal note.