

HB

109

ALASKA STATE HOUSE OF REPRESENTATIVES

Interim Address:
119 N. Cushman, Suite 211
Fairbanks, AK 99701
(907)-456-5081
Fax# (907)-456-8245



Session Contact:
(907)-465-3719
FAX# (907)-465-3258
State Capitol
Room 102

REPRESENTATIVE JOHN COGHILL

Date: February 22, 2001
To: Senator Gene Therriault, Chairman
Senate State Affairs Committee
From: Representative John Coghill, Sponsor HB 109
Re: Hearng for HB 109

JBC

HB 109 "An Act relating to failure by an election official to execute the voter's certificate on an absentee ballot or by a person authorized by law to execute the voter's certificate on a questioned ballot" passed the House unanimously Wednesday.

This legislation is very straight-forward and received a State Affairs referral in the Senate. I am requesting a hearing for HB 109 at your earliest convenience.

We have worked very closely with the election office in making sure we do not change the certification process. The only change we are making to the process is that we are protecting a person's right to have their vote counted.

In the 2000 General Election, three ballots were not counted because of errors made in the certification of questioned or absentee ballots. While errors addressed by this legislation are rare, we want to ensure that the voter is made whole when it happens.

I have attached relevant back up information for this legislation. Also, if you have any concerns about this bill, please call me.

ALASKA STATE HOUSE OF REPRESENTATIVES

Interim Address:
119 N. Cushman, Suite 211
Fairbanks, AK 99701
(907)-456-5081
Fax# (907)-456-8245



Session Contact:
(907)-465-3719
FAX# (907)-465-3258
State Capitol
Room 416

REPRESENTATIVE JOHN COGHILL

HB 109 Voting Absentee or Question Ballot Sponsor Statement

While all elections are important, people turn out in large numbers for borough mayoral races and the general elections during presidential elections. This can result in fast paced processing of questioned and absentee ballots, which can result in human error while processing ballots.

Election workers are very conscientious, under paid citizens who are put under tremendous stress during popular elections that result in high turnout. It does not happen often, but because of the high turnouts there have been a couple of instances when Alaskan citizens have received a letter from the Division of Elections informing them that their ballot was not counted because the questioned or absentee ballot was not filled out properly.

One such incident occurred when a resident of the Badger Road area went out of precinct to vote last fall. He voted a questioned ballot at the North Pole City Hall. Several weeks later he got a letter from the Division of Elections apologizing that his vote was not counted because an official or the witness authorized by law failed to attest the voter's certificate. In other words, the election worker failed to sign the certificate on the questioned envelope.

The same would be true if a person voted absentee at an election office and the election official failed to execute the certificate.

I believe that the right to vote is a fundamental right that should not be diminished by an accidental failure to complete a form of an election official. For that reason I have introduced HB 109 which removes language that would invalidate a ballot because of an error of an election official.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 109
 (H) Publish Date: 2/16/01

Revision Date/Time (Note if correction): _____ Dept. Affect: Office of the Governor
 Title: An Act relating to failure by an election official BRU: Elective Operations
 to execute the voter's certificate on an absentee ballot... Component: Elections
 Sponsor: Representative Coghill
 Requester: House State Affairs Component Number: 21

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Gail Fenumai Phone 465-3935
 Division: Division of Elections Date/Time 02/12/01 9:55 a.m.
 Approved by: Lieutenant Governor Fran Ulmer Date 02/12/2001
 Agency: Office of the Lieutenant Governor

For distribution information, call the Governor's Legislative Office