

HB

221

Bill pulled
from calendar
by sponsor
prior to hearing

23-LS0886U
Kurtz
4/11/03

CS FOR HOUSE BILL NO. 221()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION**

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE HOLM

A BILL

FOR AN ACT ENTITLED

1 **"An Act making it a class C felony to knowingly make a false statement relating to**
2 **citizenship or residency on an application for voter registration or reregistration; and**
3 **relating to evidence of citizenship."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1. AS 15.07.060(a) is amended to read:**

6 (a) Each applicant who requests registration or reregistration shall supply the
7 following information:

8 (1) name and sex;

9 (2) address and other necessary information establishing residence,
10 including the term of residence in the state and in the district, if requested;

11 (3) whether the applicant has previously been registered to vote in
12 another jurisdiction, and, if so, the jurisdiction and the address of the previous
13 registration;

14 (4) a declaration that the registrant will be 18 years of age or older

1 within 90 days after [OF] the date of registration;

2 (5) a declaration that the registrant is a citizen of the United States;

3 (6) date of application;

4 (7) signature or mark;

5 (8) any former name under which the applicant was registered to vote
6 in the state;

7 (9) an attestation that the information provided by the applicant in (1) -
8 (8) of this subsection is true; and

9 (10) a certification that the applicant understands that a false statement
10 on the application may make the applicant subject to prosecution for a felony or
11 misdemeanor under this title or AS 11.

12 * Sec. 2. AS 15.56.040(a) is amended to read:

13 (a) A person commits the crime of voter misconduct in the first degree if the
14 person

15 (1) votes or attempts to vote in the name of another person or in a
16 name other than the person's own;

17 (2) votes or attempts to vote more than once at the same election with
18 the intent that the person's vote be counted more than once;

19 (3) intentionally makes a false affidavit, swears falsely, or falsely
20 affirms under an oath required by this title;

21 (4) knowingly votes or solicits a person to vote after the polls are
22 closed with the intent that the vote be counted; or

23 (5) knowingly makes a false statement relating to citizenship or
24 residency while applying for voter registration or reregistration.

25 * Sec. 3. AS 15.56.040 is amended by adding a new subsection to read:

26 (c) In a prosecution under (a)(5) of this section, any of the following
27 documents are prima facie evidence of citizenship:

28 (1) a passport;

29 (2) a birth certificate;

30 (3) a certificate of United States citizenship or United States citizen
31 identification card issued by the federal government;

- 1 (4) sworn affidavits knowingly given under penalty of perjury under
2 AS 09.63.020 from two individuals attesting that the applicant is a citizen;
3 (5) a Bureau of Indian Affairs identification card or an Indian Treaty
4 Card.

5 * Sec. 4. AS 15.56.050(a) is amended to read:

- 6 (a) A person commits the crime of voter misconduct in the second degree if
7 the person
8 (1) registers to vote without being entitled to register under
9 AS 15.07.030;
10 (2) knowingly makes a material false statement, other than a
11 statement relating to citizenship or residency, while applying for voter registration
12 or reregistration; or
13 (3) votes or attempts to vote in an election after being disqualified
14 under AS 15.05.030.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: HB221-Law-CDCO-1-9-2
 Bill Version: HB 221
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act making it a class C felony to RDU Criminal
knowingly make a false statement...voter registration or reregistration." Component Criminal Justice Litigation
 Sponsor Representative Holm
 Requester House State Affairs Committee Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill adds to the crime of voter misconduct in the first degree, a class C felony, knowingly making a false statement relating to citizenship or residency while applying for voter registration or reregistration.

Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn A. Daughetee, Director Phone 465-3673
 Division Administrative Services Date/Time 1/9/04 3:20 PM
 Approved by: Kathryn Daughetee for Gregg D. Renkes, Attorney General Date 1/9/2004
 Agency Department of Law

Support for HB 221

Voter Registration Fraud

Because of the Federal "motor voter act", Alaska is required to offer every drivers license applicant, the opportunity to register to vote. Currently a person with a valid license in another state (possibly with lower standards than our state) can come to Alaska and while changing their license they may fill out a voter registration form.

The current form reads, "WARNING: If you provide false information on this application, you can be convicted of a misdemeanor." I feel that a fraudulent statement of citizenship and residency in order to vote is deserving of more attention than a misdemeanor and that the penalty should give pause to the person considering the crime. Also, after having to consider the high cost of committing that crime, the individual who proceeds, more clearly demonstrates his/her malicious intent.

Though this law may at first seem to be dangerous or worrisome, keep in mind that a conviction should never arise or be applied in the case of an actual (at the time) citizen or resident because at some point documentation or simple accumulation of affidavit and sworn testimony in court will prove out.

Only American citizens should vote for or against United States office holders and it's laws. Please join me in supporting this truth. A thruth which is spoken to in our greatest documents.

Alaska Constitution states, "Every citizen of the united states who is at least eighteen years of age, who meets residency requirements... and who is qualified to vote under this article..."

United States Constitution states, "Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States..." (14th Amendment)

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state..." (15th Amendment)

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 221
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: OOG
 Title "An act making it a class C felony to knowingly BRU Elections
make a false statement relating to citizenship on a or... Component Elections
 Sponsor Representative Holm
 Requester House State Affairs Component No. 21

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The division historically revises and reprints forms annually to accommodate any changes to Alaska's laws affecting elections. The division feels that we can absorb the costs for reprinting the necessary forms associated with this bill as long as it is within the normal forms revision cycle. If the forms need to be reprinted outside the normal revision cycle, it will cost the division an additional \$1,500.

Prepared by: Lauri Allred
 Division: Division of Elections
 Approved by: Laura A. Glaiser, Director/LJP
 Agency: Division of Elections

Phone: _____
 Date/Time: 4/8/03 4:45 PM
 Date: 4/8/2003

STATE OF ALASKA
VOTER REGISTRATION APPLICATION / CHANGE FORM
Revised March 5, 2002

NOTE: This is not an electronic form.
Print it, complete it, then it can be mailed, faxed or hand-delivered.
It can be used to register to vote or to change your registration information.

1. Name (Last, First, MI, Suffix): _____

2. Previous Name: _____

3. Alaska Residence Address (DO NOT USE PO, PSC, HC or RR Box): _____

4. Mailing Address (include zip code): _____

5. Optional, confidential information, for identification only: FOR OFFICE USE ONLY:

Alaska Voter Number: _____
Social Security Number: _____
Place of Birth: _____
Date of Birth (MO/DD/YR): _____
Daytime Phone Number: _____
Evening Phone Number: _____

VN _____
D/P _____
Codes/Comments/Init _____
Received Date _____

6. Gender:

- [] Male
[] Female

7. Affiliation:

- [] Alaska Democratic Party
[] Alaska Libertarian Party
[] Alaskan Independence Party
[] Green Party of Alaska
[] Republican Moderate Party
[] Republican Party of Alaska
[] non-partisan (no party affiliation)
[] undeclared (no party declared)
[] _____

8. I am currently registered to vote in another state; please cancel that registration (City, State, County, Zip Code): _____

9. If you need special assistance, indicate the type of assistance needed: _____

10. [_] Check this box if you would like to serve on an election board. Phone _____

11. Voter Certification: I certify, under penalty of perjury, that: I am a United States Citizen; I am a resident of Alaska; I will be at least 18 years old within 90 days of this registration; I am not a convicted felon (unless unconditionally discharged); and I am not registered to vote in another state, or I have included the necessary information to cancel that registration. WARNING: If you provide false information on this application, you can be convicted of a misdemeanor. AS 15.56.050
RELATIVE TO CITIZENSHIP OR RESIDENCY

SIGNATURE: _____ DATE: _____

MAKE A FELONY UNDER AS 15.56.040

Mail this form to the office nearest you:

Region I Elections Office

Region II Elections Office

(A) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) and submits as part of such registration either—

(i) a copy of a current and valid photo identification; or

(ii) a copy of a current utility bill, bank statement, government check, paycheck, or government document that shows the name and address of the voter;

(B)(i) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) and submits with such registration either—

(I) a driver's license number; or

(II) at least the last 4 digits of the individual's social security number; and

(ii) with respect to whom a State or local election official matches the information submitted under clause (i) with an existing State identification record bearing the same number, name and date of birth as provided in such registration; or

(C) who is—

(i) entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1 et seq.);

(ii) provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)); or

(iii) entitled to vote otherwise than in person under any other Federal law.

(4) CONTENTS OF MAIL-IN REGISTRATION FORM.—

(A) IN GENERAL.—The mail voter registration form developed under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) shall include the following:

(i) The question "Are you a citizen of the United States of America?" and boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States.

(ii) The question "Will you be 18 years of age on or before election day?" and boxes for the applicant to check to indicate whether or not the applicant will be 18 years of age or older on election day.

(iii) The statement "If you checked 'no' in response to either of these questions, do not complete this form."

(iv) A statement informing the individual that if the form is submitted by mail and the individual is registering for the first time, the appropriate information required under this section must be submitted with the mail-in registration form in order to avoid the additional identification requirements upon voting for the first time.

(B) INCOMPLETE FORMS.—If an applicant for voter registration fails to answer the question included on the mail voter registration form pursuant to subparagraph (A)(i), the registrar shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of

Notification.

HELPING AMERICA VOTE



After more than 200 years of voting, the United States is about to make a massive investment in the neglected elections infrastructure. The feds have made a down payment, but will all the money be there?

By Tim Storey

Every vote counts.

Nobody has to remind Wyoming Representative Liz Gentile of that. When the votes were tallied in her race for Wyoming House District 36 last fall, the Associated Press reported that she lost—by just one vote.

When she called the courthouse to confirm, she was thrilled to learn that she had, in fact, won by one vote. "I always said to people, your vote does count," says Gentile.

The story, of course, didn't end there. First, there was the inevitable recount that gave her two more votes. Then county elections officials discovered "voting irregularities." Thirteen people were given the wrong ballot and shouldn't have voted for District 36 representative. With the margin of victory being only three votes and no way to determine who the 13 incorrect voters had chosen, the state canvassing board ordered a new election. This time Gentile won by a more convincing 323-vote margin.

"In a way, I'm glad it was so close because it let people know that every vote really does matter," she says.

Murky elections are nothing new, and although the election for Wyoming House District 36 was not as high profile as the 2000 presidential election, both reveal a pressing need for a major restructuring of the way elections are administered. From outdated voting equipment to a chronic shortage of qualified election workers, the infrastructure has been crumbling from a lack of attention and funding.

Many states started to identify critical areas for improving the process after the 2000 election. More than half appointed a special task force or committee to examine every aspect of elections. Numerous national organizations, including the National Conference of State Legislatures, contributed to the debate by offering recommendations on how to improve the process.

MAJOR REFORM FROM WASHINGTON

A few states, including Florida, Georgia and Maryland, enacted sweeping reforms in 2001 and 2002, complete with major cash infusions. Others pursued low cost fixes like clarifying voter intent and



Representative
Liz Gentile
Wyoming

recount procedures. Most states, however, were holding back and waiting for a big investment in elections by the federal government. Would Congress follow through on its rhetoric and enact meaningful reform backed up with desperately needed federal dollars?

True to its word, Congress passed landmark election reform with broad bipartisan support just three weeks before the 2002 general election. The 161-page law addresses most, if not all, of the problems that led to the 2000 Florida debacle. And it authorizes more than \$3.8 billion in federal money (only partially appropriated) to shore up the election process and infrastructure.

"The administration of elections is primarily a state and local responsibility," President Bush said when he signed the Help America Vote Act of 2002 (HAVA) last October. "The federal government will help state and local officials conduct elections that have the confidence of all Americans."

Ohio Congressman Bob Ney, a key sponsor of the legislation, called it a move forward with "real reform and real solutions that will ensure America's voting system is the best in the world."

The law requires states to reform numerous aspects of the way elections are run. Of course, some of the updates are extremely costly, so a big question remains whether Congress will fully appropriate the promised \$3.8 billion and when?

"This must not turn into another unfunded mandate from Washington," says New Mexico House Elections Committee Chair Representative Ed Sandoval. "The federal money appropriated in February is a great start, but states like New Mexico are counting on Congress to make good on its promise."



Representative
Ed Sandoval
New Mexico

PAYING FOR REFORM

Full funding is far from assured despite a promising up-front investment from Congress in February. Just when states were starting to get nervous, Congress made a substantial down payment with the FY 2003 omnibus budget bill. The long overdue bill appropriated \$1.5 billion for election reform. This money will help states get started in earnest with some of the early mandates. Uncertainty remains as to future full funding. The president's FY 2004 budget request has only \$500 million for elections reform, far short of the

Tim Storey is NCSL's elections and redistricting expert.

COMPLYING WITH THE HELP AMERICA VOTE ACT

There was an enormous surge in state election reform legislation after the 2000 Florida presidential election. The high volume continues this session, with a new twist—many state legislatures are looking at what their state must do to comply with the new Help America Vote Act.

States didn't wait on the federal government to release money for HAVA before they acted—at least 28 introduced compliance bills in advance of the federal funding. Some are comprehensive bills that seek to bring most sections of the state's election code into line with the federal act—Arizona, Idaho, Indiana, Mississippi, Missouri, New Hampshire, New Jersey and Oregon have such bills. Pennsylvania has already passed a comprehensive compliance bill.

These comprehensive bills address voter registration, provisional voting, centralized statewide voter registration systems, voting systems, voter intent, funding, chief election official responsibilities, voter identification and more.

Other states are addressing a narrower section of the voting act. For instance, Colorado has a bill to update its statutes on military and overseas voters. Illinois may update its provisional voting regulations. Nebraska is considering creating a uniform statewide voter registration database. And Utah has a bill to update its voter registration procedures. Nine states have taken the basic first step of creating a fund to receive federal money disbursed under the voting act.

NCSL's database of election reform has been updated to make searching easier. Visit the database at www.ncsl.org/programs/legman/elect/elections.cfm and select the topic "HAVA Compliance" to view a full list of these bills.

STATES WITH HAVA COMPLIANCE LEGISLATION IN 2003

Arizona	Mississippi	Rhode Island
Colorado	Missouri	South Dakota
Hawaii	Montana	Tennessee
Idaho	Nebraska	Utah
Illinois	New Hampshire	Virginia
Indiana	New Jersey	Washington
Kentucky	North Dakota	West Virginia
Maryland	Oklahoma	Wyoming
Massachusetts	Oregon	
Minnesota	Pennsylvania	

—Jennifer Bowser, NCSL

\$1.5 billion originally authorized for 2004.

"The biggest hurdle, or uncertainty, to date has been the money," says Doug Chapin of electionline.org, an information clearinghouse set up after the Florida disaster. "States can't plan without the money, and can't get the money without a plan."

The new money from Congress includes \$650 million in "early money" to be paid to states based on population. That money is intended for planning, new equipment and general improvements, and it comes with relatively few strings and no required match from the states. An additional \$850 million will be distributed as federal grants with a 5 percent match.

States are optimistic that the total amount promised will eventually be available. In mid-February, bills were pending in at least 10 legislatures to establish the special election funds required by the new law. At least two states, Hawaii and Wyoming, were already looking at setting aside enough money to meet the state matching requirements. Another 15 states were examining major pieces of legislation to comply with the act.



Senator
Hob Bryan
Mississippi

Mississippi Senator Hob Bryan, chair of the Senate election committee, is pushing legislation in the Magnolia State to implement the federal voting act. "The most difficult thing for us is not necessarily the money, but deciding how to implement the federal law. However, the money gets us off square one and started on real reform." Mississippi's share of the federal money could be well over \$35 million.

The sobering fact is that no matter what level of funding ultimately comes from the feds, the voting act requires states to make a number of fundamental changes in how elections are run. Some states, like Florida and Georgia, are in relatively good shape thanks to reforms enacted in the past two years. Others have a daunting task ahead with some onerous deadlines looming.

"States must get going immediately on planning and making the necessary statutory changes to comply with the law," says Leslie Reynolds, executive director for the National Association of Secretaries of State.

WHAT'S REQUIRED?

If your legislature is not already looking at the election code side by side with the HAVA, make it a priority; the law mandates considerable changes for almost every state.

One of the first things to look at is a voter registration database. The federal law requires states to install a computerized, uniform, centralized, interactive, statewide voter registration database by 2006. "This will be the biggest challenge for many states," warns Reynolds.

Only 10 states have a fully unified system, according to electionline.org. Eleven have essentially no system at all. At least eight states are moving quickly toward a statewide system, including Pennsylvania, which passed a HAVA compliance bill in December. (North Dakota is exempt because it does not require any voter to register before voting.)

Glenn Newkirk, president of Infosentry, a North Carolina company that helps states and counties develop voter registration systems, notes that the new requirements will be very complex, rivaling the largest IT systems that states presently operate.

It's simply "a huge system," says Newkirk. He also points out that some "80 percent of large technology projects come in late, over budget or fail outright." He says states must start developing systems now. And "legislators must get involved early so they don't have sticker shock when they see the final costs of installing and maintaining them." Finally, Newkirk observes that this provision represents a "massive shift in election administration from local governments to the states."

Another big-ticket mandate is improving access for disabled voters. The new law requires states to offer at least one fully accessible voting machine at every polling place. The equipment must allow the disabled to vote without assistance and in private. There were more than 187,000 precincts for the 2002 election, according to Washington-based Election Data Services, and now accessible equipment will have

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

to be purchased for the majority of those polling sites. The new law also authorizes \$100 million in federal grants to improve access to the polling sites and train election workers to assist disabled voters. This reform may have the most direct impact on voting. "The nation's disabled will see a huge change in how they vote," says Doug Lewis, executive director of the Houston-based Election Center.

UPGRADING EQUIPMENT

Voting machines and systems get full attention in the new legislation. Early money can be used to replace antiquated lever and punch card machines, used by more than 36 percent of Americans, according to a 2002 report from Election Data Services.

The federal act also requires that all systems allow voters to check their ballot for errors before leaving the polling place. Voters must be able to correct ballots if they discover that they have "overvoted" (selected two candidates for one office). States are required to define in law what constitutes a vote on any system being used—something many have already done.

The most controversial aspect of the new bill may be its fraud prevention measures. "Politically, the voter ID provision could be difficult, very divisive and partisan," says Chapin. Under the new law, states must ask new registrants for either a driver's license number or the last four digits of a Social Security number. If they haven't either, the state will assign them a unique identifying number. Voters who register by mail must either enclose a copy of positive identification, such as a driver's license or electric bill or they will have to show identification when they show up to vote. Some civil rights groups fear the voter ID requirements could discourage voters from going to the polls. While the National Association for Advancement of Colored People was generally pleased with the final version of election reform, it has reservations about the ID section. In an alert to members it said: "Many low-income Americans do not have a photo ID. In some ways, this adds an additional burden to first-time voters akin to the poll taxes that were eliminated in the 1965 Voting Rights Act."

MORE INFORMATION ON THE WEB

For a complete and detailed summary of the Help America Vote Act, prepared jointly by NCSL and the National Association of Secretaries of State, go to NCSL's elections homepage at: www.ncsl.org/programs/legman/elect/elect.htm. The site features a database of pending and enacted state legislation from the past three years dealing with all facets of election reform.

NCSL is planning an early summer conference to help legislators and state policymakers discuss best practices for effectively implementing the voting act. The Web site will have more details about the conference. It includes links to many other useful sites on election reform, like www.electionline.org that offers up-to-the-minute news and analysis on election reform.

The new law also requires all states to establish a complaint process for voters who feel their rights were violated. Grievances will have to be submitted in writing and notarized. The law spells out a tight timetable for states to hear complaints and address them.

NEVER TURNED AWAY AGAIN

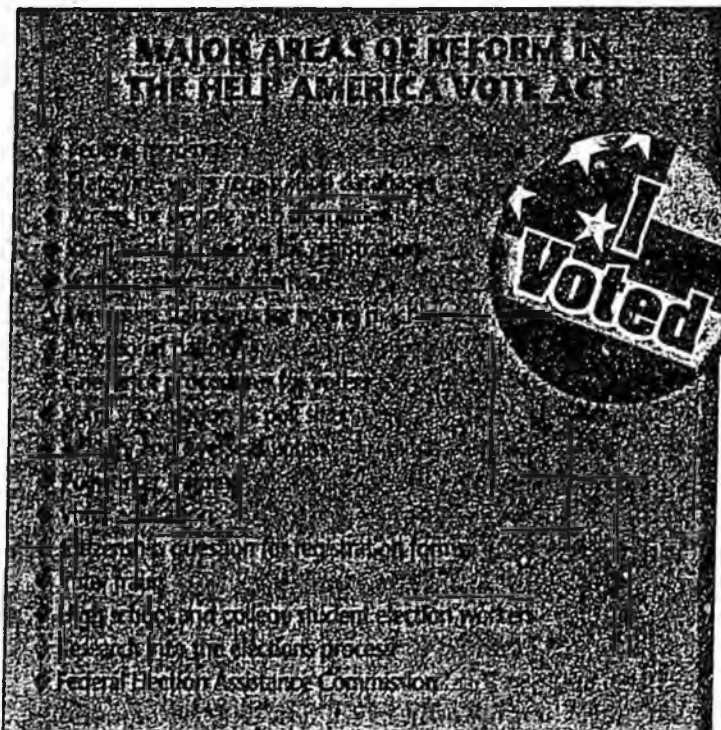
Voters should never be turned away from the polls again. The law mandates that states establish provisional voting that allows citizens to cast ballots even if their names don't show up on precinct lists. Elections officials would then review each provisional ballot to determine the voter's eligibility. Lewis says this is a reform that most states should enact swiftly. "Provisional voting shouldn't cost that much on the front end," he says.

A series of smaller, yet crucial, reforms also are part of the act. They call for better pollworker training, improved voter education, outreach efforts to high school and college students, guidelines for overseas and military voting, and increased voter information at polling sites. The National Association of Secretaries of State's Reynolds fears that these vital programs could get shortchanged if funding is not adequate. "I don't know if the states will be able to follow through on voter education, pollworker training and reforms like that if the federal commitment is not what was promised," she says.

NEW COMMISSION

The Help America Vote Act sets up a new federal Election Assistance Commission of four full-time, bipartisan commissioners appointed by the White House. This commission will receive state plans for using the HAVA money and issue voluntary guidelines on how to comply. The law also sets up two advisory boards to the commission including a 37-member board that will have two members appointed by NCSL. The commission is expected to spearhead research on the American election process and is required by law to conduct several specific studies immediately, including one on how "human factors" affect the conduct of elections.

That brings us back to Wyoming Representative Gentile. When asked if this new federal reform bill will guarantee that her election scenario was a one-time occurrence, she seemed skeptical saying, "Any time you have humans involved in the system, there's potential for error." The Help America Vote Act will undoubtedly improve things, but who knows when another perfect storm will converge to throw an election into chaos.



Many items that *could* be used to obtain a state license or I.D. card, do not actually show citizenship. Keep in mind that no states require citizenship to obtain a license but because of motor voter, most states are required to offer the registration form to all applicants.

The attached pages describe the documents that can be offered to obtain a license.

State of Alaska Division of Motor Vehicles Standard Operating Procedures	SOP No. D-20	Page No. 1 - 3
	Effective Web Site	
Subject: IDENTIFICATION AND PROOF OF DATE OF BIRTH	Supersedes D-20	Dated 6/1/00
	Approved	
Statute: AS 28.15.061	Regulation: 13 AAC 08.330 (b)	Form No.

ORIGINAL ALASKA DRIVER'S LICENSE or IDENTIFICATION CARD

Every person who makes an original application for a driver's license or permit must furnish documentary proof of his/her date of birth (See Primary Identification Documents) and at least one form of identification to verify his/her name (See Secondary Identification Documents). IF A PERSON HAS A VALID PHOTO DRIVER'S LICENSE ISSUED BY A STATE DMV, NO OTHER IDENTIFICATION IS REQUIRED.

CERTIFICATION BY CORRECTIONS, PROBATION OR ALASKA CHILDREN'S SERVICES IS NOT ACCEPTABLE.

PRIMARY IDENTIFICATION DOCUMENTS

1. An original or certified copy of a United States or Canadian birth certificate. The certificate must have a raised seal and be issued by an authorized government agency such as the Bureau of Vital Statistics or State Board of Health. Hospital issued certificates and baptismal certificates are not acceptable.
2. Canadian Department of Indian Affairs issued identification card. (Tribal issued card is not acceptable. A U.S. issued Department of Indian Affairs card is not acceptable.)
3. Court order which must contain the individual's full name, date of birth and court seal. Some examples include an adoption document, a name change document, gender change document, etc. It does not include an abstract of criminal or civil conviction.
4. Drivers license/permit issued by a State/Canadian DMV. Cannot be expired over one year.
5. Identification card issued by a State or Canadian DMV. Cannot be expired over one year.
6. Microfilm/copy of a drivers license issued by a State or Canadian DMV, provided it has been certified by DMV.
7. Microfilm/copy of an identification card that has been certified by the issuing DMV.
8. Military identification card for active duty, retiree or reservist. (Service member only. Dependent military ID's are not acceptable as a primary document.)
9. Passport - U.S. or Canadian.
10. Report of Birth Abroad by a Citizen of the United States, issued by a U.S. consular officer.
11. The following Immigration and Naturalization Service (INS) documents are acceptable. The document must be an original and expired documents are unacceptable:
 - a) Certificate of Naturalization (N-550, N-570, or N-578)
 - b) Certificate of Citizenship (N-560, N-561, or N-645)
 - c) Northern Marianas Card
 - d) American Indian Card
 - e) United States Citizen Identification Card (I-179 or I-197)
 - f) Resident Alien Card or Permanent Resident Card (I-551)
 - g) Temporary Resident Card (I-688)
 - h) Arrival-Departure Record (In a valid foreign passport) (I-94)
 - i) Valid foreign passport containing an I-551 stamp
 - j) Re-entry Permit (I-327)
 - k) Refugee Travel Document (I-571)

- l) Employment Authorization Card or Employment Authorization Document (I-688A, I-688B, or I-766)
- m) Arrival-departure Record stamped "Refugee" (I-94) (Refugee's I94 will not likely be in a foreign passport)
- n) Canadian Immigration Record and Visa or Record of Landing (IMM 100).

SECONDARY IDENTIFICATION DOCUMENTS

1. All primary documents
2. Bureau of Indian Affairs card or an Indian Treaty Card. (Some tribal cards are more reliable than the BIA card. DMV's can make their own determination.)
3. Driver license or ID card that has been expired over a year.
4. Court order that does not contain the applicant's date of birth.
5. Photographic employer identification card.
6. Foreign birth certificate.*
7. Foreign passport.*
8. Health insurance card [Blue Cross/Shield, Kaiser, Aetna, or a Health Maintenance Organization (HMO)].
9. Internal Revenue Service (IRS) or state tax form. A W-2 form is not acceptable.
10. Marriage license or certificate.
11. Individual's medical records from a doctor or a hospital.
12. Military dependent identification.
13. Military discharge or separation papers. (DD214)
14. Parent or guardian affidavit for minors, only. The parent or guardian must appear in person and prove their identity and submit a certified or notarized affidavit regarding the child's identity.
15. Gun permit.
16. Pilot's license.
17. Certified school record or transcript.
18. Social Security card (D-17). A metal card is not acceptable.
19. Photographic school identification card.
20. Vehicle title. A vehicle registration is not acceptable.
21. Welfare card.
22. Prison release document.

*See the following page for further information on foreign documents.

LOST ALASKA DRIVER LICENSE/PERMIT/I.D. CARD REQUIREMENTS:

- Two items from either the primary or secondary identification document list. In offices with ALVIN terminals the information on the computer may be used in place of one of the items provided the person can verify address, date of birth, place of birth, Social Security number and the physical description matches.
- Offices without computer terminals must contact a terminal office to verify that the status of the license is clear, in addition to the requirement of two items.
- In extreme cases, you may request a photo of the applicant from the Department of Public Safety, OL Photos. Examples of extreme cases are when an applicant is the victim of a house fire or when all identification documents have been lost or stolen. In these cases, request the photo by e-mail or by calling OLPHOTOS. (Appendix D) Please include the full name of the applicant and their license or identification number, as well as the SSN and DOB, if available.

NOTE: Rent receipts, credit cards, and similar type documents are not to be used as proof of identity for issuance of an *original* driver license or ID card. They may be used for issuance of a duplicate OL or ID as a *last resort* and in conjunction with the ALVIN record.

LOST OUT-OF-STATE LICENSE/PERMIT REQUIREMENTS:

- Furnish documentary proof of his/her identity and date of birth, the same as for an original license.
- Obtain verification of their license status from the state the applicant is currently licensed in.
- A PDPS check is required to verify eligibility.

ALTERATIONS

Any document that contains an alteration that changes the name, date of birth, or other pertinent information will not be accepted.

FOREIGN DOCUMENTS

Any primary or secondary document that is in a language other than English must be translated into English and must be accompanied by a Certificate of Accuracy of Translation by the person translating the document(s). DMV will accept the self-certification of anyone who certifies they have the competency to translate.

**STATE OF ALASKA
DIVISION OF MOTOR VEHICLES
CERTIFICATE OF ACCURACY OF TRANSLATION**

I, _____, attest to my competency to translate
(NAME OF TRANSLATOR)

from _____ to English, and I certify I have translated the attached document.
(FOREIGN LANGUAGE)

The attached translation is the correct English translation of all pertinent information from the original
_____ for _____
(DOCUMENT TYPE) (LEGAL NAME OF APPLICANT)

The following must be completed by the person who translated the document(s):

_____ PRINTED NAME	_____ TELEPHONE NUMBER
_____ ADDRESS	
_____ SIGNATURE	_____ DATE

(8/2001) www.state.ak.us/dmv/

Cross Reference:

Appendix D - DMV Addresses