

SB

24

ALASKA STATE LEGISLATURE
Senator Georgianna Lincoln

State Capitol
Juneau, Alaska 99801-1122

(907) 465-3732
Toll Free: 1-888-461-3732
Fax (907) 465-2652

E-mail: Senator_Georgianna_Lincoln@legis.state.ak.us

Standing Committees:
Resources
Transportation
Community & Regional Affairs

Joint Committee:
Legislative Council

Budget Subcommittees:
Administration
Transportation

DISTRICT C

Alatna
Allakaket
Aniak
Angoon
Anvik
Arctic Village
Beaver
Beluga
Bethel
Big Delta
Birch Creek
Boundary
Cape Pole
Central
Chalkyitsik
Chandalar Lake
Chenega Bay
Chicken
Chisana
Chistochina
Chitina
Chuathbaluk
Circle
Coffman Cove
Cordova
Cube Cove
Coldfoot
Copper Center
Craig
Crooked Creek
Delta Junction
Deltana
Dot Lake
Dry Creek
Eagle
Eagle Village
Edna Bay
Ellamar
Ernestine
Excursion Inlet
Eureka
Evansville
Eyak
Flat
Fort Greely
Fort Yukon
Fortuna Ledge
Foster Bay
Galena
Galena
Gravling
Gulkana
Gustavus
Haines
Healy Lake
Hogata
Hobart Bay
Holy Cross
Hoonah
Hughes
Huslia
Hydaburg

SPONSOR STATEMENT

Senate Bill 24

An Act providing special absentee ballots for voters in remote areas

SB 24 offers a voter living in a remote location the opportunity to vote using the 60-day special advance absentee ballot. In current statute, only voters living, working or traveling outside of the United States are eligible for a 60-day special advance absentee ballot. However, voters living in extremely remote areas are sometimes disenfranchised by conditions beyond their control. Distance, terrain and natural conditions have prevented voters from receiving by-mail ballots or reaching a polling place. SB 24 will dramatically increase the window of opportunity to vote.

Voters in urban areas have multiple voting options, including voting in person or at absentee voting stations at university campuses and airports. However, most voters in remote areas of the state can only vote by mail. The Division of Elections mails absentee ballots approximately 14 to 15 days before each election. If a remote voter's mail does not reach them in time, or they cannot reach a post office, they are unable to participate in the election.

Voting is the fundamental method citizens utilize to participate in our democracy. The health of our democracy rests on the participation of every Alaskan. While some may take that right for granted, there are others who listen in frustration as the election returns come in over the radio, hindered by factors beyond their control from making their vote count.

SB 24 assists Alaskan voters in remote areas of the state to exercise their right to vote. The Division of Elections already distributes the 60-day special advanced absentee ballot to voters outside of the U.S., and *the remote voters who would benefit from this bill are uniquely identified within their voter registration system.* This legislation will not be difficult to implement and will address the concerns of the public interest litigants who have filed suit against the state in order to obtain special advance absentee ballots.

I respectfully request your consideration and support of SB 24.

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Kake
Katig
Kasaan
Kataha
Kenicott
Kenny Lake
Klawock
Klukwan
Koyukuk
Labouchere Bay
Lake Minchumina
Lime Village
Livengood
Long Island
Mankomen Lake
Manley Hot Springs
Marshall
McCarthy
McGrath
Medfra
Metlakatla
Mentasta
Minto
Nabesna
Naukatik Bay
Nenana
Nikolai
Northway
Nulato
Ophir
Point Baker
Polk Inlet
Port Alice
Port Protection
Rampart
Red Devil
Ruby
Russian Mission
Shageluk
Skagway
Slana
Sleetmute
Stevens Village
Stony River
Strelna
Tadotna
Tanacross
Tanana
Tatitlek
Tazlina
Telida
Tenakee Springs
Tetlin Junction
Tok
Tomsina
Tyonek
Utopia Creek
Venetie
View Cove
Waterfall
Whale Pass
Wiseman
Yakutat

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- Cordova
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- Coldfoot
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- Delta Junction
- Deltana
- Dot Lake
- Dry Creek
- Eagle
- Eagle Village
- Edna Bay
- Ellamar
- Ernestine
- Excursion Inlet
- Eureka
- Evansville
- Evak
- Flat
- Fort Greely
- Fort Yukon
- Fortuna Ledge
- Foster Bay
- Gakona
- Galena
- Grasling
- Gulkana
- Gustavus
- Haines
- Healy Lake
- Hogata
- Hobart Bay
- Holy Cross
- Hoonah
- Hughes
- Huslia
- Hydaburg

MEMORANDUM

TO: Senator Ralph Seekins, Chair
Senate Judiciary Committee

FM: Senator Georgianna Lincoln

RE: Committee Hearing for SB 24

DATE: March 18, 2003

At your earliest convenience, please schedule SB 24 for a committee hearing in the Senate Judiciary Committee. Last week, it passed through Senate State Affairs without objection. Additionally, this bill passed through two Senate Committees without objection last year, but failed to make it through the legislative process by the end of the session.

Attached please find my sponsor statement explaining the purpose of this bill, the fiscal note and letters of support from the Division of Elections and Alaskan citizens. If you have any questions, please do not hesitate to contact my staff, Sara Boario, who will be working on this legislation.

- Hyder
- Kake
- Katag
- Kusnan
- Katalla
- Kennicott
- Kenny Lake
- Klawock
- Klukwan
- Koyukuk
- Labouchere Bay
- Lake Minchumina
- Lime Village
- Livengood
- Long Island
- Mankomen Lake
- Manley Hot Springs
- Marshall
- McCarthy
- McGrath
- Medfra
- Metlakatla
- Mentasta
- Minto
- Nabesna
- Naukati Bay
- Nenana
- Nikolai
- Northway
- Nulato
- Ophir
- Point Baker
- Polk Inlet
- Port Alice
- Port Protection
- Rampart
- Red Devil
- Ruby
- Russian Mission
- Shageluk
- Skagway
- Slana
- Sleetmte
- Stevens Village
- Stony River
- Strelna
- Takotna
- Tanacross
- Tanana
- Tatitlek
- Tazlina
- Telida
- Tenakee Springs
- Tedli Junction
- Tok
- Tonsina
- Tyonck
- Utopia Creek
- Venette
- View Cove
- Waterfall
- Whale Pass
- Wiseman
- Yukutat

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB24
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: OOG
Title "An Act providing special absentee ballots for voters in remote areas." BRU Elections
Component Elections
Sponsor Senator Lincoln, Davis and French
Requester Senate 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)

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)*
Many of the voters affected by this legislation already request an absentee by-mail ballot. This legislation simply requires the Division to mail these ballots 60 days prior to an election allowing additional time for these voters to receive and return their ballot. Consequently, the Division should be able to absorb the minimal cost of extending this opportunity to voters in remote areas of the State.

Prepared by: Lauri Allred, Administrative Officer Phone 465-5347
Division: Division of Elections Date/Time 3/14/03 9:19 AM
Approved by: Linda Perez, Administrative Director Date '14/2003
Agency: Office of the Governor, Administrative Services

STATE OF ALASKA

OFFICE OF THE LT. GOVERNOR

Division of Elections
P.O. Box 110017
Juneau, Alaska 99811-0017
PHONE (907) 465-4611
FAX (907) 465-3203

Senate Bill 24

"An Act providing special absentee ballots for voters in remote areas"

Summary Statement by the Division of Elections
Senate State Affairs Committee
March 18, 2003

This bill amends AS 15.20.082(a) to require the Director of Elections to prepare special absentee ballots for voters who live in a remote area of the state where distance, terrain, or other natural conditions deny the voter reasonable access to a polling place.

The Division of Elections supports SB24.

Supporting Statements:

- ◆ The Division has already identified these voters because they are permanent absentee voters (PAVs) who apply for an absentee by-mail ballot.
- ◆ If this legislation passes, the ballot the Division would prepare for these voters is its standard Special Advance Absentee Ballot mailed to overseas Alaskan voters 60 days before a statewide election.
- ◆ The Division mails regular absentee ballots approximately 14 days before a statewide election. SB24 would allow these voters to obtain the same advance absentee ballot privilege afforded many other Alaskan voters.

The Division of Elections appreciates the opportunity to comment on this bill.

STATE OF ALASKA

OFFICE OF THE LT. GOVERNOR

Division of Elections
P.O. Box 110017
Juneau, Alaska 99811-0017
PHONE (907) 465-4611

February 16, 2001

The Honorable Georgianna Lincoln
Senator, Alaska State Legislature
State Capitol, Room 11
Juneau, Alaska 99801

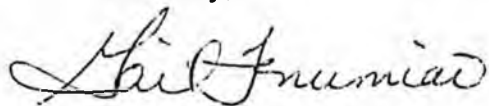
Dear Senator Lincoln:

Thank you for allowing the division to comment on Senate Bill 87. The division supports your efforts in assisting Alaska voters in remote areas of the state to exercise their right to vote.

Senate Bill 87 expands the allowable use of the 60-day special advance ballot to Alaskans in remote locations. This will allow additional time for these voters to receive their ballot.

Thank you for proposing this legislation. We believe it will have a positive impact for voters in Alaska's most remote areas.

Sincerely,



Gail Fenumiai
Election Programs Specialist

THE
FOLLOWING
DOCUMENT(S)
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ORIGINAL
COPIES

STATE OF ALASKA

OFFICE OF THE LT. GOVERNOR

Region III Elections Office
675 7th Avenue, H3
Fairbanks, AK 99701-4594
PHONE (907) 451-2835

May 4, 2001

The Honorable Georgianna Lincoln
Senator, Alaska State Legislature
State Capitol, Room 11
Juneau, Alaska 99801

Dear Senator Lincoln:

As the Region III Elections Supervisor, I am responsible for voter registration and election management throughout Interior Alaska and Prince William Sound. Your office requested information regarding areas in my jurisdiction that would benefit by the passage of SB 87.

I have over 1,000 voters living in remote areas that have been classified as permanent absentee voting areas. Some of these voters live in areas such as the Kantishna River, Cosna River, Holtna River, Takahula Lake, Inlakuk Lake, Tolovana River, Chandalar Lake, Wien Lake, Flat, Chlsana, Healy Lake, and other areas that do not have regular mail service. Without regular mail service, these voters have an extremely hard time exercising their right to vote due to the absentee ballot timeframes established in Alaska law.

Each election cycle I receive requests from voters residing in remote areas to obtain an absentee ballot early because of their limited ability to receive mail. Currently, the division mails ballots approximately three weeks before each election for regular absentee voters. Without regular mail service, many of the voters living in remote areas cannot receive their ballot in time to vote. SB 87 would allow voters living in these remote areas to obtain an advance absentee ballot just like the advance ballot privileges afforded to overseas voters.

Sincerely,



Shelly Growden
Elections Supervisor, Region III

STATE OF ALASKA

OFFICE OF THE LT. GOVERNOR

TONY KNOWLES, GOVERNOR

DIVISION OF ELECTIONS
P.O. BOX 110017
JUNEAU, ALASKA 99811-0017
PHONE: (907) 465-4611

January 22, 2002

The Honorable Georgianna Lincoln
Senator, Alaska State Legislature
State Capitol, Room 11
Juneau, Alaska 99801

Dear Senator Lincoln:

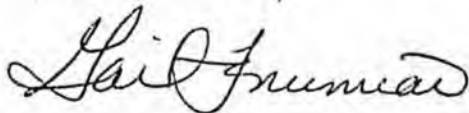
After the first hearing of Senate Bill 87 in the Senate State Affairs Committee, questions arose concerning the term "reasonable." I would like to provide to you with more information about permanent absentee voters.

The permanent absentee voters who would benefit from this bill are uniquely identified within our voter registration system. A voter may only be designated in permanent absentee status by a regional election supervisor. The conditions under which a voter may be designated as such are outlined in 6 AAC 25.650. This regulation has been in place since 1990. The division can assure you that there is no abuse of this system.

Although a voter is designated as a permanent absentee voter, they must complete an absentee by-mail ballot application prior to receiving any ballot. The designation of permanent absentee status alerts the regional election supervisors that these voters must be sent an absentee by-mail application per the schedule set out in 6 AAC 25.650.

Again, thank you for your efforts in promoting this legislation.

... Sincerely,



Gail Fenumiai
Election Administrative Supervisor



[Click here to return to the original story](#)

4 file suit for more time on absentee ballots

Friday, August 23, 2002

By DAN JOLING
THE ASSOCIATED PRESS

ANCHORAGE - A Talkeetna homesteader and three other Alaskans filed suit Thursday seeking more time to receive and send in absentee ballots.

The public interest lawsuit was filed in Anchorage Superior Court on behalf of Judy M. Price and three others who said the window of opportunity for voting absentee is too narrow and that hazardous conditions prevent rural voters from picking up or mailing in ballots.

"If you're weathered in where you can't travel, you've been disenfranchised," said Valdez attorney Tim Cook, the lead attorney on the case.

The state Division of Elections had no comment on the suit.

Absentee ballots are mailed out about three weeks before the election.

The plaintiffs want the same time allowances as Alaskans who say they may be out of the country on Election Day. Those voters receive "special advance absentee ballots" sent out 60 days ahead of the election.

Cook said the plaintiffs in the past have been unable to obtain and return a regular absentee ballot within the allotted time frame.

Price lives 20 trail miles from Talkeetna, according to the lawsuit. Two years ago, according to her affidavit, dangerous freeze-up conditions prevented her from traveling to the Talkeetna post office to obtain the ballot until after the November 2000 election. She said it's likely the same thing could happen this year.

She said that she tried this year to obtain a special advance absentee ballot but was turned down.

Sen. Georgianna Lincoln, a Rampart Democrat, filed a bill in 2001 to allow special absentee ballots for rural voters, a bill supported by the Division of Elections. The bill died at the end of the session.

Plaintiff Denis Ransy lives 12 trail miles from Talkeetna and said in court

documents that travel to his homestead can be dangerous until water bodies are securely frozen. Freezing temperatures usually begin in mid-October, he said, and on several occasions he has been unable to obtain his absentee ballot.

Attorneys asked for expedited proceedings so the lawsuit can be decided in time for the general election on Nov. 5. Cook said that should be possible.

"From a legal perspective, I don't believe there are any factual issues involved," he said.

The court action will not affect the primary next week.

"Our plaintiffs don't want to upset the process," Cook said.

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Subject: [Fwd: Absentee Voting]

Date: Tue, 24 Sep 2002 14:00:00 -0800

From: Senator Georgianna Lincoln <Senator_Georgianna_Lincoln@legis.state.ak.us>

To: Sara Boario <Sara_Boario@legis.state.ak.us>

Subject: Absentee Voting

Date: Fri, 20 Sep 2002 15:43:04 -0800

From: "Buck and Charlene Stewart" <bcstewart@customcpu.com>

To: <senator_georgianna_lincoln@legis.state.ak.us>

CC: "Senator Lyda Green" <Senator_Lyda_Green@legis.state.ak.us>

Dear Senator Lincoln:

My husband and I have an ongoing problem each year in regard to getting our ballots for the November General Election. We have a cabin on Kodiak Island where we go each year during the latter part of October and the first part of November. While we are there, we have no mail service. In our conversations with the Division of Elections, we have learned that, if we were to be outside the country, we could receive an overseas ballot, but that, even though overseas ballots are available RIGHT NOW, the Division, by statute is not allowed to send any to us. We will be going to Kodiak this year on October 13th, which is before the regular absentee ballots are mailed and before we can vote in person at any location. We understand that you have been doing some work on changing the statute (Title 15, Section 15.20.082) and would like you to know that we support your effort in this direction and hope that you will soon be successful in bringing about a change which will allow overseas ballots to be sent to any Alaska resident who is unable to obtain ballots or vote within the present structure.

Would appreciate it very much if you would keep us up to date on this issue.

Thank you very much.

Buck and Charlene Stewart
P. O. Box 1007
Willow, AK 99688
(907) 495-6527

TOLOVANA ROADHOUSE
TOLOVANA, ALASKA
BOX 281
NENANA, ALASKA 99760
PHONE/FAX 907.832.5258
EMAIL- tolovana@pocketmail.com

Senator Georgiana Lincoln
State Capitol Bldg.
Juneau AK 99801

1/30/01

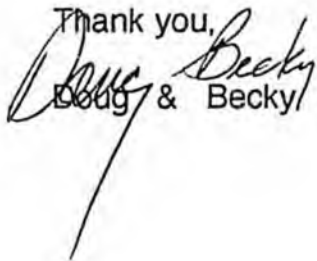
Dear Senator,

Thank you for attending to the legislation that will allow our family to vote in the fall elections.

The issue that started the letter to you on this matter was the presidential election this fall, coupled with a late freeze up. We couldn't get across the Tolovana to Manley Hot Springs (our normal polling place) or across the unfrozen lakes and sloughs to Nenana to vote a question ballot (I'm not sure if they would have let us vote that way anyhow). We know it has happened to our neighbors up the Kantishna in the past.

It is frustrating to listen to the election returns on the radio knowing you weren't able to participate. By extending the scope of the 60 day overseas absentee ballot many disenfranchised Alaskans living in the bush will be able to exercise their right to vote.

Thank you,


Doug & Becky Bowers

FROM : ROUGHWOODS INN

FAX NO. : 9078325299

Mar. 11 2001 08:56AM P1

Ruth M. and Larry E. Coy
P.O. Box 515
Nenana, Alaska 99760

Dear Senator Lincoln,

We are writing to you in support of Senate Bill 87. We support this bill because of the fact that Larry chartered a flight in to town to vote on a subject that we considered important. This charter flight cost us \$525.00. Even though what we had voted on did not pass at least we voted on the subject. If there was a 60 day window for absentee ballots instead of the 30 days it would be of considerable help to the bush residents and they would be able to cast their ballots on important issues.

Sincerely,

Ruth M. and Larry E. Coy
Ruth M. and Larry E. Coy

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