

SB

24

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 1/21/03

FURTHER: Judiciary
Finance

Date of 5-Day Notice: 3/13/03
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/19/03

State Affairs Committee considered SENATE BILL NO. 24

SB 24 SPECIAL ABSENTEE BALLOTS

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

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical title

new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
OOG	3/14/03		✓	1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
CHAIR: <i>[Signature]</i>	✓			

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 3/14/2003
 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.



[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

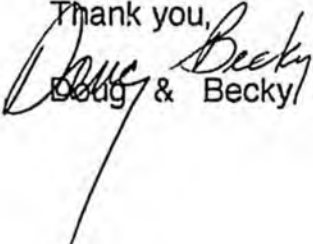
Dear Senator,

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

THE
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DOCUMENT(S)
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COPIES

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

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

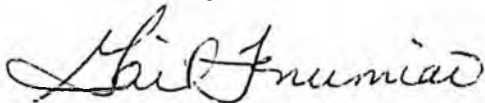
Dear Senator Lincoln:

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

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

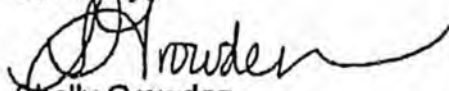
Dear Senator Lincoln:

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, Holtina River, Takahula Lake, Inlakuk Lake, Tolovana River, Chandalar Lake, Wien Lake, Flat, Chisana, 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

TONY KNOWLES, GOVERNOR

OFFICE OF THE LT. 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:

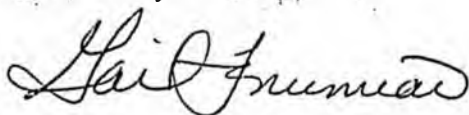
After the first hearing of Senate Bill 87 in the Senate State Affairs Committee, questions arose concerning the term "reasonable." I would like to provide to you with more information about permanent absentee voters.

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

STATE OF ALASKA

OFFICE OF THE LT. GOVERNOR

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

May 9, 2002

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

Dear Senator Lincoln:

The division believes it would be an unnecessary expense to expand the use of the 60-day special advance ballot to all Alaskan voters.

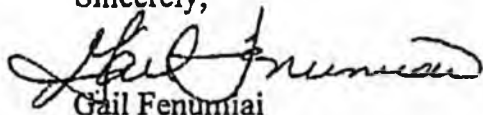
The 60-day special advance ballot currently serves a unique purpose for Alaskan voters who will be outside of the United States 60 days prior to an election. Senate Bill 87 would include voters, identified by the division as permanent absentee voters as recipients of this advance ballot.

Permanent absentee voters are voters who reside in remote areas in Alaska where distance, terrain, or other natural conditions deny them reasonable access to a polling place. These voters do not have any other option to vote except by mail. If their by mail ballot does not reach them, they are unable to participate in the election. Permanent absentee voters live in areas of the state where there is no absentee voting official, often unreliable mail and communication services.

Voters in urban Alaska have other voting options available. There are absentee voting stations in each of the four regional election offices, the Anchorage and Fairbanks university campuses, and airports. Each of these stations has ballots available for all 40 house districts. In addition to the absentee voting stations, there are over 70 absentee voting official locations throughout the state, located in municipalities throughout the state.

The only way for a permanent absentee voter to vote is by mail. They do not have access to any other options to exercise their right to vote. The division feels it is in the best interest of these voters that they be extended another alternative for voting, such as is the case with voters in urban Alaska.

Sincerely,



Gail Fenuniai

Election Administrative Supervisor

Last Session's
FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 87
(S) Publish Date: 2/20/02

Revision Date/Time (Note if correction): _____ Dept. Affected: OOG
Title An Act providing absentee ballots BRU Elections
for voters in remote areas Component Elections
Sponsor Senator Lincoln
Requester Senate State Affairs Committee Component No. 21

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual	0.0					
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	0.0					
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 (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Gail Fenumiai, Election Administrative Supervisor Phone 465-3935
Division: Division of Elections Date/Time 2/15/02 2:28 PM
Approved by: Lieutenant Governor Fran Ulmer Date 02/15/2002
Agency: Office of the Lieutenant Governor

STATE OF ALASKA

OFFICE OF THE LT. GOVERNOR

Division of Elections
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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.