

HB

3

<TARGET><BILL>HB 3</BILL><SUBJECT>HB
3</SUBJECT><COMM>HSTA28</COMM></TARGET>

Nancy Manly

To: julietdh@yahoo.com
Cc: forrest.wolfe@akleg.gov
Subject: HB 3 - testify

Juliet:

Just a reminder that HB 3 will be heard in the House State Affairs Committee tomorrow morning. We had a slight schedule change. Another bill SB 37 will be heard before HB 3. That bill should take 10-15 minutes so if you were to call in around 8:15ish, the moderator will keep you on hold until Representative Lynn calls your name to speak. You will be on hold but should be able to hear what is happening in the meeting. Our call-in number is: 1-855-463-5009. Thanks for your willingness to testify.

Nancy Manly, Chief of Staff and
House State Affairs Committee Aide *for*
Representative Bob Lynn
House District 23
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STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

February 25, 2013

The Honorable Bob Lynn, Chair
House State Affairs Committee
State Capitol, Room 108
Juneau AK 99801

Dear Representative Lynn:

During yesterday's hearing on House Bill 3, Representative Isaacson asked questions about voting age population, statewide voter registration number and the state's list maintenance process. I indicated I would research the answer to his question and provide a response following the hearing.

According to information from the Department of Labor, Research and Analysis Section, the voting age population for Alaska is 522,853. This number is based on information from the 2010 Census. The current number of registered voters in Alaska is 513,990.

The division performs a list maintenance process annually. Following the passage of the National Voter Registration Act (NVRA), voters could no longer be removed from the registration rolls for simply not voting. The list maintenance procedures are provided for in AS 15.07.130.

The current process, as outlined by the NVRA, works as follows:

1. The list of registered voters is reviewed and a nonforwardable notice is sent to voters
 - a. Whose mail from the division has been returned in the two years immediately preceding
 - b. Who have not contacted the division in the two years immediately preceding
 - c. Who have not voted or appeared to vote in the two general elections immediately preceding
2. If the notice sent in (1) above is returned undeliverable and that voter has not contacted the division and not voted or appeared to vote during the last four calendar years, another notice is sent by forwardable mail. This notice notifies the voter that their


The Honorable Bob Lynn
February 25, 2013
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registration will be inactivated unless they respond to the notice no later than 45 days after it was mailed.

3. Inactive voters are then cancelled after the second general election that occurs after the registration became inactive if the voter does not contact the division or vote or appear to vote.

If there are any further questions, please let me know.

Sincerely,



Gail Fenumiai
Director

cc: The Honorable Lynn Gattis
The Honorable Shelley Hughes
The Honorable Doug Isaacson
The Honorable Wes Keller
The Honorable Charisse Millett
The Honorable Jonathan Kreiss-Tomkins

Nancy Manly

From: Sen. Cathy Giessel
Sent: Monday, March 04, 2013 5:45 PM
To: Rep. Bob Lynn
Subject: BRAVO!

Categories: Important

Rep Lynn,
I loved your press release about voter ID! Well spoken and thank you for pushing back on the very bad information/scare tactics in Sen Begich's "speech" today.

Cathy
Senator Cathy Giessel
Senate District N (House Districts 27 & 28)
Chair Senate Resources Committee

Session contact:
State Capitol, Room 427, Juneau, AK 99801
Office 907 465 4843
Toll free 800 892 4843
Fax 907 465 3871

FB: Senator Cathy Giessel
Twitter: GiesselAKSenate



SE lawmakers warm to blunt Begich speech

Posted: March 4, 2013 - 7:35pm | Updated: March 5, 2013 - 12:06am

By MARK D. MILLER

JUNEAU EMPIRE

Less than two weeks after Sen. Lisa Murkowski, R-Alaska, addressed the Alaska State Legislature, Sen. Mark Begich, D-Alaska, followed up with his own annual speech on Monday, which saw him both commiserate with and chide state legislators on a host of state and federal issues.

Begich alternated between defending and aligning himself with the Legislature and directly criticizing some of the state's actions throughout his speech.

After inveighing against "out-of-control federal spending" and touting his support of "tax incentives" for oil and gas companies, Begich turned to the subject of disputes between the state and federal governments.

"I know it's popular, especially in this building, to bemoan the 'federal overreach' and file a lawsuit weekly against the latest perceived federal oversteps," Begich said, a rather prickly segue into talking about his efforts to protect Eielson Air Force Base from proposed cuts. "I have certainly participated, I will acknowledge, in my own share of fed-bashing when it gets results."

Begich put himself squarely at odds with many Republican legislators on several more issues, speaking in favor of tying school funding to inflation and increasing state funding for Denali KidCare while voicing opposition to increasing the state's voter identification requirements and providing vouchers for families to send their children to private schools.

Responding to a question from Rep. Lora Reinbold, R-Eagle River, after the speech, Begich referred to House Bill 69, which makes it a felony under state law for a federal agent to attempt to enforce any federal restrictions on gun ownership in Alaska, as "unconstitutional" and "irrelevant," although he acknowledged the House was making a "statement" by passing it last week.

Although much of what Begich said seemed to court controversy in the Republican-dominated Legislature, some parts of his speech earned plaudits from across the aisle.

Begich mentioned visits he has made to Auke Bay Elementary School and the University of Alaska Southeast's Center for Mine Training, as well as his push in the Senate to put shop classes back in public high schools.

Rep. Cathy Muñoz, R-Juneau, said she appreciated that Begich addressed vocational education and the Center for Mine Training, of which she has been a champion in the Alaska House of Representatives.

"I think that helps give us a little extra boost as we go into the closeout of the operating budget," said Muñoz, a member of the House Finance Committee who chaired the subcommittee on the University of Alaska's budget.

At the end of his speech, Begich argued against increasing Alaska's voter identification requirements, saying new laws "would make it harder to vote for many of our rural Alaskans, who often don't have photo IDs." He cited the grandparents of two of his staffers as examples.

"Let's be honest," Begich said. "There is not a problem here. Unless I missed it in all the elections I have been involved, I haven't seen the fraud that people talk about. It sounds good, but it's not realistic."

Those remarks earned scattered applause from mostly Democratic legislators, but silence from many Republicans.

"He stood up real strongly on that one," said House Minority Leader Beth Kerttula, D-Juneau, after the speech.

Rep. Jonathan Kreiss-Tomkins, D-Sitka, praised Begich's comments on voter ID as well.

But Begich's remarks angered Rep. Bob Lynn, R-Anchorage, who has introduced a bill to make Alaska's voter ID requirement stricter.

Lynn put out a written statement Monday afternoon blasting Begich as "misinformed" and defending his bill, noting it includes a provision allowing voters to show two non-photo IDs or be identified by two election workers in order to vote instead of showing a photo ID.

Asked about Begich's occasionally combative tone, Muñoz said she was not bothered.

"It's just a little healthy sparring," said Muñoz. "A little healthy sparring is always good. I didn't take offense to it at all."

"He kind of slammed some stuff," Sen. Dennis Egan, D-Juneau, said. "I don't know. I mean, I think that we can pass these resolutions, but I think that in a lot of ways he's correct."

Egan added, "It doesn't hurt, I don't think, for sitting members of Congress to tell us. You know, it always doesn't have to be wine and roses. You know, I think that we need to hear things like that. And I, personally, I appreciated that he did it."

Kerttula said, "I think he was trying to get it across that we're all Alaskans, that he's going to talk straight to us about what he believes, and that we need to work together on the tough issues but come away from these issues that are so divisive and aren't really rooted in reality."

Lynn was less appreciative of Begich's critiques.

"I think it's inappropriate for him to come down to Juneau and try to put his pea-picking hands on state legislation," said Lynn, reeling off federal issues Begich and his fellow members of Congress have yet to deal with. "He has enough to attend to in Washington, D.C., and he needs to get busy."

Begich was asked during the press conference about the tone of his speech.

"I'm not bashful about telling the way I want to see things here and where I think I disagree with them," Begich said of the state legislators.

Through her staff, Rep. Peggy Wilson, R-Wrangell, declined to comment for this story.

Kreiss-Tomkins said he appreciated Begich's focus on education during the speech and called him "an independent voice."

Sen. Bert Stedman, R-Sitka, was the only Southeast legislator who was not present for Begich's speech. He left Juneau Sunday to prepare for this week's Energy Council meeting in Washington, D.C., which he is chairing.

Begich was the keynote speaker at the Tongass Democratic Party's Juneau Jefferson-Jackson Day Dinner Sunday night. He also spoke at a Native Issues Forum event at Elizabeth Peratrovich Hall Monday.

At that forum, Begich was introduced by Sealaska Heritage Institute President Rosita Worl as "someone very special to Alaska" before being officially adopted into the Daklaweidi clan of Tlingit, the "Killer Whale" clan.

"Thank you for this great honor," Begich said. "I will do my best every day to live up to it. If I don't, I know Rosita will remind me."

• Contact reporter Mark D. Miller at 586-1821 or at mark.d.miller@juneauempire.com.



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CLOSE X

AlaskansforAlaskaElfinCove

A new voice for our Citizens and State



www.AlaskansforAlaska.com P.O. Box 93 Elfin Cove, AK 99825 AlaskansforAlaska@gmail.com

January 29, 2013

Dear Representatives and Senators,

It has become a pattern in Elfin Cove for out-of-state business owners to register as Alaskan voters. This allows them to vote in the Community of Elfin Cove Nonprofit Corporation (CECNPC), our local governing body and in state elections. With 20 year-round residents and over 65 registered voters, a place like Elfin Cove could affect the outcome of an election such as the recent District 34 House race. As much as this issue affects Elfin Cove, we believe that it is a problem statewide.

Residency: What determines Alaskan residency? In Elfin Cove, out-of-state business owners use their business addresses to obtain voter registration cards to legitimize their claim of residency. Retaining their principle domiciles in other states, they show no "intent" to remain in Alaska. These business owners return to Alaska seasonally- only 3 to 4 months a year. In many cases, these people leave Alaska to return to homes where they lived prior to claiming Alaskan residency. There are even persons in Elfin Cove who make no other claim of residency other than voter registration, while claiming themselves as non-residents on fishing permits/licenses and business documents filed with the state. Two examples of this are: Joe Kulavik (Eagle Charters and Cross Sound Lodge) and Kelly Crump (Waters Edge Lodge). The residency of some of Elfin Cove's business owners could be questioned by their spouses' residency status. All of the following businessmen are registered voters but their spouses are not: Joe Kulavik/Marilyn Kulavik, Kelly Crump/Mary Crump, Gordy Wrobel/Dorothy Wrobel (Cove Lodge, Inc.), Charlie Fannin/Jackie Fannin (Cove Lodge, Inc.), James Benton/Christine Benton (Tanaku Lodge) and Dennis Meier/Susan (Benton) Meier (Tanaku Lodge). We are asking the State of Alaska to address residency requirement definitions for state privileges, such as a voter's card and for the state to enforce the statutes that pertain to these privileges.

Revenue Sharing: Since we live year-round in Elfin Cove and can account for 20 or less people for over half the year, we continue to question the legitimacy of the Head Count Censuses done to obtain Revenue Sharing funds. Our count agrees with the 2010 U.S. Census count (20 persons). A census taken on May 25, 2011 and approved by the CECNPC board showed 37 residents. The Dept. of Commerce, Division of Regional and Community Affairs (DCRA) also questioned the census count and determined there were seasonal residents included. A revised Head Count Census was requested and was taken by CECNPC Chairman Dennis Meier and Treasurer Debbie Hemenway. The revised census listed 25 residents- the minimum to qualify for Revenue Sharing funds. This revised census count was never shared with community members. Of the 25 listed on the revised census at least 4 did not meet the 6 month and 1 day requirement. These persons include: Travis Lewis, Mary Jo Lord-Wild, Steven Hemenway and Debbie Hemenway (enumerator of the census and Treasurer CECNPC). Based on the revised head count CECNPC received over \$85,000 in Revenue Sharing funds in 2011 and 2012. Last year Alaskans for Alaska made an Open Records Request on June 7, 2012 to DCRA for copies of the 2008 and 2011 Head Count Censuses. Having received no response by August we sent another letter to the Commissioner of the Dept. of Commerce on August 22, 2012. A response was finally received on August 29th from Brigitta Windisch-Cole on behalf of Deputy Director Melissa Taylor. Although we received copies of the two 2011 censuses and correspondences, we were told the 2008 census documents were not found. The person that reviewed them had retired and the files could not be located. Our request for these documents still stands.

Legislative Audit of CECNPC: The enumerator of the census, Debbie Hemenway, did not follow the instructions for conducting the Head Count Census. We request that the Alaska Legislature conduct a Legislative Audit of the Community of Elfin Cove (CECNPC) for the possible fraud in applying for and receiving Revenue Sharing funds in 2011 and 2012.

Audit of CECNPC and its Subsidiaries: CECNPC has never had an audit in its 31 year history, despite numerous requests by community members. Financial documents supplied by CECNPC to its members and for grant applications are inaccurate. Debbie Hemenway has been the Treasurer of CECNPC for the last 15 years.

Thank you for your time and attention to our concerns. We are available to discuss these issues or provide documentation if further information is needed.

Sincerely,

Lane Ply, President
Travis Lewis, Vice-President
Karen Nemecek, Secretary
Alaskans for Alaska

ATTORNEYS
Heather R. Kendall-Miller
Natalie A. Landreth
Eric C. Dougherty

Native American Rights Fund

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February 20, 2013

The Honorable Bob Lynn
House State Affairs Committee
State Capitol
Juneau, AK 99801

Representative Lynn and Committee Members:

My name is Natalie Landreth and I am a Senior Staff Attorney and Corporate Officer at the Native American Rights Fund. Founded in 1970, the Native American Rights Fund (NARF) is the oldest and largest nonprofit law firm dedicated to asserting and defending the rights of Alaska Native and Indian tribes, organizations and individuals nationwide. NARF has been in Alaska since 1984, and I have personally been practicing law here for 10 years. It is on behalf of the many Alaska Native and American Indian clients I have represented over the years in election cases (including one going on right now), that I write to oppose HB 3.

This bill is first and foremost a solution in search of a problem. There is no documented voter fraud in Alaska (save for the one identity theft issue already discussed). The voter identification system is working just fine as it is. HB 3 is therefore totally unnecessary.

NARF has reviewed the testimony of the ACLU and agrees with it. This bill is inherently discriminatory and will have a disparate impact on the poor, the elderly and Alaska Natives in particular. There are already numerous barriers to voting in rural Alaska and this bill would surely disenfranchise even more. I detail only some of the problems here.

The first problem is that in rural Alaska the most common form of identification at the polls is simply recognition. Everyone in a village knows everyone else and thus pollworkers pretty much never ask for identification. I have checked with all of my clients in voting cases and this is the longstanding practice. HB 3 would prevent them from doing this and require *two* pollworkers to identify the person and sign beside their name on the register. I have reviewed some pollworker timesheets for numerous village precincts in the Bethel Census Area and it is not uncommon for there to be just *one* pollworker at the precinct at a given time. In such situations, it would be impossible for a voter to meet this requirement for reasons totally beyond their control.

Second, the personal recognition, or "waiver" as it is called in the bill, does not apply if a person is not on the official register for the precinct. This creates a significant problem because the State conducts voter purges approximately every two years during which voters can be removed from the register simply for failing to return a postcard in time. This is a particularly acute problem for the many Yup'ik speaking people in the Y-K Delta who may discard that piece of mail because they do

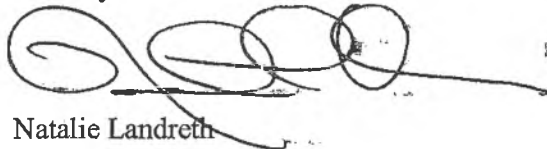
not understand it must be returned. It is again not uncommon for people who have voted for years to go vote and find that they are no longer on the register, either through human error or by virtue of having been purged. Those people would not be allowed to vote even with personal recognition.

Third, I do see that HB 3 allows for tribal IDs but in my 10 years of practice in the state I have never once seen an Alaska tribal ID with a photograph on it. I did some investigation in preparation for this testimony and I did discover about 12 tribes in the Interior and Y-K Delta regions that have "hardcard systems" that have photographs but I have not personally seen them. The vast majority of tribal IDs will not have photographs on them, and I am aware of no requirement that they have photographs. It is more common for tribal IDs in the Lower 48 to have photographs but not so in Alaska.

Finally, the bill is not saved by the fact that it allows for two forms of identification that do not require a photograph. With the exception of the tribal ID and possibly the license in (2)(D), Alaska Natives – especially ones over the age of 50 or so – will not have the other forms. For example, many older Alaska Natives were born at home and do not have official or certified birth certificates. They also will not have naturalization papers and those who were married in a church may not have a court marriage record. These may be more common today but those over a certain age simply did not live that way. This further highlights why the burden of HB 3 falls on older Alaskans and Alaska Natives in particular.

It is for these reasons and those detailed in the ACLU letter that we strongly oppose this bill.

Thank you

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Natalie Landreth

Additional Documents *for* HB 3

- Sectional Summary to HB 3
- FAQ
- Supporting Document – Press Release – Kansas Secretary of State Kris Kobach
- Resolution of Opposition – Alaska Association of Municipal Clerks
- Letter of Opposition – Vicki Otte MTNT

LEGAL SERVICES

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MEMORANDUM

February 18, 2013

SUBJECT: Sectional summary (HB 3 (Work Order No. 28-LS0010\U))

TO: Representative Bob Lynn
Attn: Forrest Wolfe

FROM: Alpheus Bullard *TCB*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Repeals and reenacts AS 15.15.225 to impose more stringent identification requirements.

Section 2. Amends AS 15.15.225(b) to require that the identification requirements of subsection (a) may only be waived if two election officials know the identity of the voter, the voter's name is on the official precinct registration list, and both officials who know the voter sign beside the voter's name in the register.

Sections 3 - 4. These sections make changes to AS 15.20.203(b) (relating to the procedures for district absentee ballot counting and review) and AS 15.20.207(b) (relating to procedures for questioned ballot review) to conform with the changes made by sec. 2 of the bill.

TLAB:ljw
13-100.ljw

FAQs for HB3

Voter ID Bill

Q: What does HB3 do?

A: This bill strengthens the current law in three ways:

- 1) Specifies what types of ID are acceptable when using photo ID for voting*
- 2) Increases the number of non-photo ID from one to two, as well as requires these to be a form of official government ID such as birth certificate, Social Security Card, voter registration card, hunting and fishing license or tribal ID*
- 3) If the voter does not have ID that meets the above criteria, they may vote if two election officials know the voter, and they are both willing to sign beside the person's name in the register.*

Q: How is this different from current law?

A: Currently, all that is needed to be presented to vote is something as simple as a utility bill or bank statement. If you have no form of ID, one election official can waive you through if they "know" you, without having to sign anything or otherwise take responsibility for stating you are who you say you are. These are not adequate security measures for voting.

Q: Will this conflict with HAVA (Help America Vote Act)?

A: No, HAVA is minimum requirements, but states are expressly permitted to be stricter in their ID requirements.

Q: Will this conflict with the VRA (Voting Rights Act)?

A: No. Georgia is another VRA state that has far stricter voter ID laws than this bill proposes. Prior to being implemented, Georgia's law needed to receive preclearance from the Department of Justice, which it did. Other states that have passed stricter laws are Indiana, Kansas and Tennessee. Florida, Louisiana, and South Dakota are also VRA states and have laws similar to this bill, all of which also received DOJ preclearance.

Q: Is voter fraud actually a problem?

A: This bill is not a response to widespread voter fraud, but rather a proactive precaution to protect the sanctity of our elections. Even though the chances of your house being burglarized are low, you still have locks on your doors and use them.

Q: Why is this necessary?

A: Alaska has a long history of elections decided by narrow margins; just last year a race was decided by 32 votes, we've also had elections as close as 1 and 4 votes in very recent memory and some even came down to a coin flip. In Alaska, clearly every vote counts, and ensuring the security of our voting process should be of the utmost concern.

Q: Does this bill disenfranchise rural or native voters?

A: No. The bill strengthens our voting system, while respecting Alaska's unique voting population, such as its rural voters. Voters without photo ID are still allowed to vote with two forms of non-photo ID, or if two election officials are willing to waive the identification requirements. This bill also specifically includes tribal ID cards as being acceptable forms of ID.

KRIS W. KOBACH
Secretary of State



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STATE OF KANSAS

NEWS RELEASE

For Immediate Release

Thursday, November 29, 2012

Contact Information

V. Kay Curtis, Public Affairs Director
Kansas Secretary of State
785-296-4580 | media@sos.ks.gov

FIRST LARGE-SCALE IMPLEMENTATION OF PHOTO ID LAW A SUCCESS

TOPEKA (November 29, 2012) – Today, the state board of canvassers conducted the final canvass for all national and state elections. “The general election of 2012 went very smoothly across the state,” observed Kansas Secretary of State Kris Kobach. “There were no reported problems regarding the photo identification requirement. I watched the voting process at several polling places, and numerous voters expressed their support for the law.”

Out of 1,182,771 votes cast, only 838 provisional ballots were issued due to lack of sufficient photo ID at the time the vote was cast. That amounts to 0.07 percent of all votes cast, 7/100ths of one percent, or less than one in 1,000 ballots. After 306 of those 838 voters presented photo ID before the county canvass to make their votes count, it dropped to 0.04 percent of all votes cast (532 votes).

These statistics lend further support to the conclusion that very few Kansans lacked photo ID. From January 1 to September 30, only 120 voters requested a free photo ID from the state, declaring they did not have any of the nine acceptable forms of identification. The official number of registered voters for the general election was 1,771,252 Kansans.

Kobach’s predicted turnout of 68% was a mere 1.2 percent difference from the actual turnout of 66.8 percent. The actual turnout was virtually the same as the last general election in a presidential year that included no U.S. Senate race. In the year 2000, the turnout was 66.7 percent – virtually the same as the turnout this year.

Secretary Kobach urges Kansans who are registering to vote for the first time to remember to provide proof of United States citizenship beginning January 1, 2013. For a list of acceptable forms of proof of citizenship, visit www.gotVoterID.com.



**ALASKA ASSOCIATION OF MUNICIPAL CLERKS
RESOLUTION NO. 2013-01**

A RESOLUTION OPPOSING HOUSE BILL 3, "AN ACT RELATING TO VOTER IDENTIFICATION AT THE POLLS; AND RELATING TO THE COUNTING OF ABSENTEE AND QUESTIONED BALLOTS" AND URGING THE STATE OF ALASKA LEGISLATURE TO RETAIN THE CURRENT LIST OF ACCEPTABLE FORMS OF VOTER IDENTIFICATION LISTED IN AS 15.15.225 AND 6 AAC 25.

WHEREAS, the Division of Elections has allowed the use of state issued Voter Registration Cards, paycheck stubs, birth certificates, hunting and fishing licenses, and acceptable forms of voter identification listed in AS 15.15.225 and 6 AAC 25 for voter identification, and

WHEREAS, the purpose of the Voter Registration Card is to identify the voter's physical residence, political affiliation, and precinct location, and

WHEREAS, in some rural communities in Alaska, access to facilities which produce photo identification is limited and the costs prohibitive, and

WHEREAS, some voters have limited access to photo identification due to age or disability, and

WHEREAS, current Alaska election laws provide for a questioned ballot review process that allows additional scrutiny of ballots cast by voters with insufficient ID, and

WHEREAS, Alaska clerks have not experienced issues with voter fraud, and

WHEREAS, HB 3 will create more difficulty for voters at the polls, which would negatively impact our goal to increase voter participation and satisfaction with the election system, and

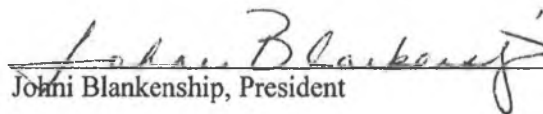
WHEREAS, the Division of Elections, in partnership with Alaska clerks, has been dedicated to providing excellent training for polling place workers to ensure that voting requirements are met; and

WHEREAS, Governor Sean Parnell, Lieutenant Governor Mead Treadwell, the Alaska Division of Elections, and Alaskan municipalities have been purposeful to maintain a convenient method which encourages all eligible citizens to vote.

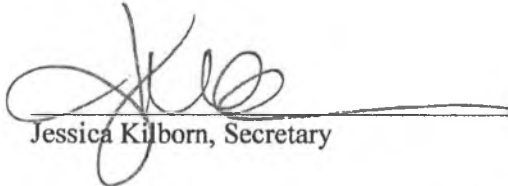
NOW, THEREFORE, BE IT RESOLVED BY THE EXECUTIVE BOARD OF THE ALASKA ASSOCIATION OF MUNICIPAL CLERKS: that the State of Alaska Legislature is urged to retain the current list of acceptable forms of voter identification listed in AS 15.15.225 and 6 AAC 25.

Effective Date of Resolution. This resolution will be effective February 19, 2013.

ENACTED THIS 19th DAY OF February, 2013.


John Blankenship, President

ATTEST:


Jessica Kilborn, Secretary

Alaska Association of Municipal Clerks
c/o 217 2nd St., Ste. 200
Juneau, Alaska 99801
www.alaskaclerks.org



February 20, 2013

The Honorable Bob Lynn
and members of the
House State Affairs Committee
State Capitol
Juneau, AK 99801

Representative Lynn and Committee Members:

On behalf of the people living in the MTNT region (McGrath, Takotna, Nikolai and Telida), I am writing this letter to voice my opposition to HB 3.

In most cases, there is no early voting as is available in the rural parts of our state. In the new House District 38 where the MTNT villages are located, portions of the District (Goldstream and Ester in Fairbanks) have access to early voting while the remainder of the District does not. I believe that gives a candidate from that area a better advantage over a rural candidate.

The mail system is also very challenging in rural Alaska. In many cases, people who order prescription renewals that come to them by mail often wait weeks and run out of medication. Some health insurances only allow a certain window of time to renew. It can take up to a month to receive medications in the mail. A person who is not available to vote on election day may not receive an Absentee Ballot in the mail in the appropriate time as well.

The Division of Elections (in a letter dated August 14, 2012) suggested voting via fax in addition to other methods. This is also very challenging because not everyone has access to a fax machine, nor can they afford to pay the fee a business might charge to send a fax. And, it is not confidential which further discourages a rural voter from casting their vote.

If this bill is intended to prevent voter fraud, the Division of Elections has systems in place to prevent it. Attached to this letter you will find a letter from the Division of Elections (dated January 17, 2013) stating that they have only ever discovered one case of voter fraud. If that is the case, effort is being wasted on HB 3 when it should be focused on more meaningful matters.

HB 3 further complicates a system that already has numerous challenges in the rural areas of our state. Requiring that two election officials verify a voter's identity creates another opportunity for an error thereby invalidating a ballot.

We should be developing ways to make the ability to vote easier. HB 3 does not do this.

The Honorable Bob Lynn
and members of the
House State Affairs Committee
February 20, 2012

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Sincerely,

A handwritten signature in black ink, appearing to read "Vicki", written in a cursive style.

Vicki Otte
CEO/Chair

cc: Representative David Guttenberg
Representative Bryce Edgman
Representative Bob Herron
Representative Neal Foster
Senator Lyman Hoffman
Senator Donald Olson

Enclosures

Director's Office
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elections@alaska.gov



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JAN 22 2013

Regional Offices
Anchorage 907.522.8683
Fairbanks 907.451.2835
Juneau 907.465.3021
Nome 907.443.5285

STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

January 17, 2013

Ms. Vicki Otte
CEO/Chair
MTNT
880 H Street, Suite 100
Anchorage AK 99501

Dear Ms. Otte:

I have received your public records request for:

“[A]n opportunity to inspect or obtain copies of public records that demonstrate instances of voter fraud including, but not limited to, instances wherein a person not eligible to vote in Alaska attempted to or did cast a ballot and any instances in which a person attempted to or did vote using another person’s identity.”

My office has no records responsive to your request. The only instance that I am aware of in which a person voted using another person’s identity is the case of Rafael Espinoza (Rafael Mora-Lopez), which was a widely-reported case of passport fraud. However, my office is not the holder of records relevant to the criminal investigation and prosecution of this individual.

The requested records do not exist and therefore, we must deny your request under 2 AAC 96.335(a)(1).. That regulation reads:

”“A request for a public record that complies with this chapter may be denied only if . . .

(1) the record is not known to exist after the public agency makes a diligent search for it.”

Because the division has no responsive records, this is technically a denial of your request. Accordingly, we are required by regulation to advise you that you have the right to administratively appeal this denial by complying with the procedures in 2 AAC 96.340. A copy of the appeal procedure is enclosed. You also have the option of obtaining immediate judicial review of this denial by seeking an injunction from the

Ms. Vicki Otte
January 17, 2013
Page 2 of 2

superior court under AS 40.25.125. Choosing not to pursue an injunction in superior court will have no adverse effect on your rights in the administrative appeal. An administrative appeal from the denial of a request for public records requires no appeal bond.

If you have any further questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gail Fenumiai".

Gail Fenumiai

Enclosure: 2 AAC 96.335-350

Director's Office
PO Box 110017
Juneau, Alaska 99811-0017
907.465.4611 907.465.3203 FAX
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STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

RECEIVED
AUG 16 2012

August 14, 2012

Ms. Vicki Otte
CEO/Chair
MTNT, Ltd.
880 H Street, Suite 100
Anchorage AK 99501

Dear Ms. Otte:

I received your letter and similar letters from other tribal organizations requesting that the division offer early in-person voting in your community in addition to the Election Day polling place and other voting methods that already exist there.

First, I want to emphasize that the division takes your concerns seriously. This is the first time the division has been made aware that voters in your community are not able to vote on Election Day due to subsistence-related activities. Turnout in your community for the 2008 and 2010 primary and general elections has remained consistent, and so statistics alone did not reflect that concern.

I would like to point out that there are several ways other than early in-person voting that residents of your community can vote prior to Election Day. While these options might not be your preferred method of voting, the division is confident that the use of these methods will be effective and will not result in disenfranchisement.

1. Absentee by-mail voting

Voters may complete an absentee by-mail application and have a ballot mailed to them. Official ballots are mailed as soon as they are available for distribution, approximately 25 days prior to the election.

Under AS 15.20.082, if due to distance, terrain or other natural condition that would deny a voter access to a polling place on Election Day, a voter may apply to receive a special absentee ballot. These special absentee ballots are mailed beginning 60 days prior to the election, which should leave plenty of time for receipt, completion, and return of the ballot, even given the vagaries of rural mail service.

These applications are available on the division's website. An outreach packet with voter registration forms, absentee applications, and posters regarding voting absentee by-mail was mailed to city offices and tribal governments on April 18, 2012.

Ms. Vicki Otte
August 14, 2012
Page 2 of 2

The division would be happy to mail voters in your community an absentee by-mail application for them to complete and return. The application may be returned by mail, by fax, or scanned and sent via email. The deadline to apply for an absentee by-mail ballot is August 18, 2012.

The deadline to apply for an absentee by-fax ballot is 5pm on August 27, 2012.

2. Toll free fax number

This election cycle, the division can establish a toll free fax number for voters to use to fax their application and their ballot if they choose to receive their ballot by fax. For future election cycles, it might be helpful to discuss the possibility of waiving the fax fee with the tribal entities that maintain the fax machines, since the division does not customarily subsidize incidental expenses associated with voting such as mileage, fuel, postage, fax fees, online service fees, or expenses associated with in-person voting such as fuel or mileage.

3. Online ballot delivery

The division recently went through a successful formal procurement process that will provide another electronic method for voters to cast their ballots.

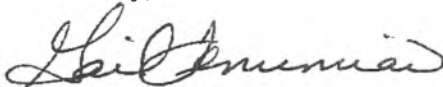
The division intends to have this system up and running for the 2012 general election. Information will be available on the division's website in the weeks ahead.

Unfortunately, due to constraints of federal law, I cannot make further adjustments or changes for the 2012 elections. As you may be aware, all changes involving voting in Alaska require preclearance from the United States Department of Justice. This process takes approximately 60 days, and sometimes more. The division may not make any change affecting voting—even if it appears to be minor or indirect or ostensibly expands voting rights—without federal preclearance, and there is insufficient time to do so legally prior to the 2012 elections.

This administration has made a conscious decision to maintain polling places in all communities. I would like to explore your concerns through either a teleconference or an in-person meeting. I have requested the Lieutenant Governor's scheduler to arrange a meeting and have provided him with your contact information.

I look forward to meeting with you to discuss this matter.

Sincerely,



Gail Fenumiai
Director

Alaska State Legislature

Chairman
State Affairs Committee

Vice-Chair
Judiciary Committee

Vice-Chair
Veterans' Caucus

Member
Transportation Committee
Joint Armed Services Special Committee

Finance Subcommittees
Administration
Corrections



A Communication From
REPRESENTATIVE BOB LYNN
District 23 Anchorage

E-Mail: Rep.Bob.Lynn@akleg.gov

Session:
Alaska State Capitol #108
Juneau, AK 99801-1182

Phone: (907) 465-4931
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Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

Sponsor Statement

HB 3

“An Act relating to voter identification at the polls; and relating to the counting of absentee and questioned ballots.”

Voting is the foundation of our democratic republic. The cement that holds this foundation together is voters being who they say they are. That's what HB3 is all about. That's why HB3 is important

HB3 simply requires photo identification before casting a ballot at the polling place. That's a pro-active measure against voter fraud. Currently, all a person is required to present before voting is something as simple as a copy of a current utility bill, bank statement or paycheck. That's inadequate protection of the voting process, and is an invitation for voter fraud.

Photo ID is ubiquitous in Alaska and everywhere else. We need photo ID to buy alcohol, tobacco, enter a federal building, at the airport, during banking transactions, to drive a car, and more.

HB3 provides accommodations for persons who may have difficulty obtaining a photo ID. They still may vote if they can provide two forms official non-photo ID such as a birth certificate, social security card, hunting/fishing license, or tribal ID. If two forms of official non-photo ID are not available, then a person may still cast a vote if two polling place workers know the person and that person is a registered voter in that district.

HB3 strikes a balance between a pro-active strengthening of our current system while respecting Alaska's unique voting population.

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: HB 3
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB003-OOG-DOE-2-15-13
Title: PHOTO IDENTIFICATION VOTING
REQUIREMENT
Sponsor: LYNN, KELLER
Requester: House State Affairs Committee

Department: Office of the Governor
Appropriation: Elections
Allocation: Elections
OMB Component Number: 21

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014 Appropriation Requested	Included in Governor's FY2014 Request	Out-Year Cost Estimates				
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES	FY 2014	FY 2014					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency?
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Prepared By: Gail Fenumiai, Director
Division: Division of Elections
Approved By: Guy Bell, Administrative Director
Division of Administrative Services

Phone: (907)465-2644
Date: 02/15/2013 01:49 PM
Date: 02/15/13

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. HB 3

Analysis

This legislation proposes to change the primary source of identification required for voting to one that contains a photograph. If no such identification is available, a voter may present two forms of personal identification that not contain a photograph: original or certified copy of the birth certificate; certified naturalization documents; certified copy of records of adoption, marriage or name change; valid identification card, license, or permit issued by any branch, department, entity of the United States government or the state; valid tribal identification card or a valid card issued by an Indian health program.

It also proposes to change the identification waiver requirements from being personally known by an election official to being personally known by two election officials.

These changes have no impact on the financial costs associated with the conduct of state and federal elections. Nor will any additional staff be required to implement the proposed law.

BRENNAN CENTER FOR JUSTICE

SUMMARY OF VOTER ID LAWS PASSED

Alabama, Kansas, Mississippi, New Hampshire, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, and Wisconsin all passed new voter ID laws in their 2011 or 2012 legislative sessions. For each state, this memorandum provides: a brief description of the substance of the new law; its effective date and current status; the types of photo IDs accepted; exceptions to the ID requirement, if any; any affidavit alternative to providing a photo ID; the photo ID requirements for early and absentee voting, if any; provisions relating to obtaining free ID; and public education requirements.¹

ALABAMA

Effective Date: The law was passed, but it is not currently in effect. By its terms, the law would not take effect until 2014. In addition, because the law is subject to Section 5 of the Voting Rights Act, it requires preclearance approval by the Department of Justice or a federal district court. Alabama has submitted the law to the Department of Justice for preclearance.

Photo IDs Permitted

Prior to voting, a voter must provide one of the following valid forms of photo ID to an appropriate election official:

- Alabama driver's license or non-driver ID card issued by the Alabama Department of Motor Vehicles;
- Any other photo ID issued by Alabama, any other state government, or the U.S.;
- U.S. passport;
- Employee photo ID card issued by Alabama or the U.S.;
- U.S. military photo ID;
- Alabama photo voter ID card;
- Student or staff photo ID issued by a public or private college, university, or postgraduate technical or professional school located within Alabama; or
- Tribal ID card with photo.

Exceptions Available

An individual without photo ID may vote only if identified by two election officials in the polling place as a voter on the poll list who is eligible to vote and the election officials execute an affidavit so stating. Otherwise, the voter must cast a provisional ballot.

¹ For purposes of this memorandum, "exceptions" to the photo ID requirement refers to categories of voters exempted from providing photo ID to vote. An "affidavit alternative" is a procedure whereby certain voters without qualifying ID can execute an affidavit to either obtain a regular ballot or to accompany a provisional ballot in lieu of providing photo ID.

Absentee Voting ID Requirements

Persons voting absentee must submit copy of proper photo ID. Anyone entitled to vote by absentee ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, the Voting Accessibility for the Elderly and Handicapped Act, or any other federal law shall not be required to produce photo ID when voting absentee.

Free IDs

The Secretary of State is required to issue a photo ID to registered voters at no cost. A person must obtain a new photo ID card each time they move within the state.

Public Education Requirements

The Secretary of State is directed to inform the public of the voter ID requirement by whatever means they deem necessary.

KANSAS

Effective date: Jan. 1, 2012

Photo IDs Permitted

The following forms of identification shall be valid if the identification contains the name and photograph of the voter and has not expired. Expired documents shall be valid if the bearer of the document is 65 years of age or older:

- A driver's license issued by Kansas, or by another state or district of the U.S.;
- A state ID card issued by Kansas, or by another state or district of the U.S.;
- A concealed carry of handgun license issued by Kansas, or a concealed carry of handgun or weapon license issued by another state or district of the U.S.;
- A U.S. passport;
- An employee badge or ID document issued by a municipal, county, state, or federal government office or agency;
- A military ID issued by the U.S.;
- A student ID card issued by an accredited postsecondary institution of education in the state of Kansas; or
- A public assistance ID card issued by a municipal, county, state, or federal government office or agency; or
- An ID card issued by an Indian tribe.²

Exceptions Available

Persons over 65 may use expired documentation as proof of identity. Additionally the following persons are exempt from the photo ID requirement:

- Persons with permanent physical disability that makes it impossible for them to travel to obtain an ID and have qualified for permanent advance voting status;

² This form of ID was added to the list of permitted IDs by the passage of S.B. 129, effective July 1, 2012. Notably, although the text of this bill indicates that it shall take effect and be in force from and after its publication in the statute book, the Kansas legislative [website](#) indicates an effective date of July 1, 2012.

- Members if uniformed service on active duty who, by reason of such duty, are out of the country on election day or spouse or dependent who by reason of the service member are also out of the country;
- Members of the merchant marine who, by reason of service, are out of the country on election day or spouse or dependent who by reason of the service member are also out of the country;
- Voters whose religious beliefs prohibit photo ID (such persons must submit declaration concerning such beliefs to secretary of state).

Affidavit Alternative

There is no affidavit option for voting without an ID.

Early/Absentee Voting ID Requirements

Kansas driver's license number, Kansas nondriver's identification card number or a copy of voter's photo ID is required for both early voting and absentee voting.

Free ID

Although this law makes available free ID cards for persons requiring them to vote, such IDs require an applicant to swear under oath that he or she desires an ID to vote in an election in Kansas and does not possess any acceptable form of ID under the law. The applicant must also produce evidence that he or she is registered to vote in Kansas. Pursuant to a separate bill, S.B. 129, effective July 1, 2012, no fee will be charged for a certified copy of a birth certificate if it is requested by a person over 17 for purposes of voting and such person lacks any of the forms of ID required by H.B. 2067.

Public Education Requirements

The secretary of state is charged with providing advance notice of the personal identification requirements in a manner calculated to generally inform the public. Minimally, the advance notice must include: use of advertisements and PSA in print, broadcast television, radio, cable television and posting information on the opening website pages of the secretary of state and governor.

MISSISSIPPI³ (constitutional amendment by voter petition)

Passed Ballot Initiative

Effective Date: The constitutional amendment takes effect if and when preclearance approval by the Department of Justice or a federal district court is granted for H.B. 921, the enabling legislation described below.

Photo IDs Permitted

³ See Miss. Sec'y of State, Initiative # 27: Voter Identification (2011), <http://www.sos.ms.gov/Elections/Initiatives/Initiatives/Voter%20Identification-PW%20revised.pdf> (last visited September 7, 2011). To be clear, Initiative #27 is not state legislation, but an initiative placed on the ballot by voter petition.

Prior to voting, a voter must provide “government issued photo identification.”⁴

Passed Legislation

Photo ID Required to Vote (Implementing Legislation for Initiative #27)

Effective Date: Takes effect if and when preclearance approval by the Department of Justice or a federal district court is granted. Mississippi submitted the law to the Department of Justice for preclearance on May 18, 2012.

Photo IDs Permitted⁵

The law requires each voter to present current and valid photo identification before voting, which includes, but is not limited to:

- A current and valid Mississippi driver’s license;
- A current and valid identification card issued by the State of Mississippi;
- A current and valid U.S. passport;
- A current and valid employee ID card, issued by the U.S. government, the State of Mississippi, or any state entity;
- A current and valid Mississippi license to carry a pistol or revolver;
- A valid tribal identification card;
- A current and valid U.S. military ID;
- A current and valid student ID, issued by an accredited Mississippi higher education; or
- An official Mississippi voter ID card.

Exceptions Available

- A voter with religious objections to being photographed may cast an affidavit (provisional) ballot at the polls, which will count if she visits the registrar’s office within 5 days of the election and executes an affidavit affirming her religious beliefs.

Early/Absentee Voting ID Requirements

The photo ID law requires the Secretary of State to prepare instructions on how absent voters may comply with the law’s ID requirements.

Free ID

The Secretary of State must negotiate a Memorandum of Understanding between the Mississippi Department of Public Safety and the registrar of each county for the purpose of providing a Mississippi Voter ID Card free of charge to registered Mississippi voters who do not have a valid unexpired Mississippi driver’s license or state ID. The registrar will require presentation of one of the following before issuing a Mississippi Voter ID Card:

- A photo ID document;
- Documentation showing the person’s date and place of birth;

⁴ Other than “state issued photo identification” which will be offered “free of charge from the Mississippi Department of Public Safety” to certain voters, the initiative does not specify which IDs will be accepted.

⁵ Notably, the implementing legislation permits a broader range of photo ID to be accepted than does Initiative #27, which requires government issued photo ID. Whether and how this inconsistency is reconciled remains to be determined.

- A social security card;
- A Medicare card;
- A Medicaid card; or
- Other acceptable evidence of verification of residence in the county as determined by the Secretary of State.

Public Education Requirements

No public education requirements are specified by statute.

NEW HAMPSHIRE

Effective Date: The law was passed on June 27, 2012, after the legislature overrode a gubernatorial veto. The law went into effect on September 5, 2012, when the Department of Justice granted preclearance under Section 5 of the Voting Rights Act. However, before November 1, 2012, a voter who does not present the requisite photo ID will be informed of the new law and permitted to vote without executing a challenged voter affidavit.

Photo IDs Permitted

Prior to voting, a voter must provide one of the following valid forms of photo ID:

- A driver's license issued by the state of New Hampshire or any other state, regardless of expiration date;
- An identification card issued by the director of motor vehicles;
- A United States armed services identification card;
- A United States passport, regardless of expiration date;
- Any other valid photo identification issued by federal, state, county, or municipal government;
- A valid student identification card;
- A photo identification not authorized specifically above, but determined to be legitimate by the supervisors of the checklist, the moderator, or the town or city clerk.⁶

As of September 1, 2013, a voter must provide one of the following valid forms of photo ID:

- A driver's license issued by any state or the federal government
- A non-driver's identification card issued by the motor vehicles division, department, agency or office of any state
- A United States armed services identification card
- A United States Passport
- A qualified voter affidavit as identified below

⁶ Provided that if any person authorized to challenge a voter under RSA 659:27 objects to the use of such photo identification, the voter shall be required to execute a challenged voter affidavit.

Non-Photo IDs Permitted

Verification of the person's identity by a moderator, supervisor of the checklist, or the town or city clerk is also acceptable.⁷

Affidavit Alternative

There is a qualified voter affidavit that can be filled out and submitted in lieu of presenting photo identification. If the voter submits an affidavit, a letter of identity verification will be sent by the Secretary of State. The letter will be mailed 60 days after the election, unless it is a primary in which case the letter will be mailed 60 days after the general election, and if the election is a regularly scheduled municipal election, the letter will be mailed by the July 1 or January 1 next following the election.

The Secretary of State will mark the envelope with instructions to the U.S. Post Office not to forward the letter and to provide address correction information. The letter will notify the person that someone who did not present valid photo identification voted using his or her name and address, and instruct the person to return the letter within 90 days with a written confirmation that the person voted, or contact the attorney general immediately. Any letters that are returned as undeliverable or any letters returned saying the person did not vote will be referred to the attorney general for an investigation into fraudulent voting.

Free IDs

The fee for voter identification cards will be \$10, with exceptions for people who turn in his or her driver's license before its expiration date if they are over 65. A person who requires a photo identification card for voting may obtain a voucher from his or her town or city clerk or the Secretary of State exempting the person from the fee.

Public Education Requirements

The Secretary of State will prepare an explanatory document explaining the proof of identity requirements, and will provide copies of the document to all towns and wards so it will be available to all persons registering to vote and at polling places at each election. The Secretary of State will take whatever measures he or she deems necessary to educate the public including displaying the information on the Department of State's website, and will provide explanatory information to media outlets that request the information and encourage such outlets to assist the department in educating the public.

PENNSYLVANIA

Effective Date: The law was passed with an effective date of March 14, 2012, but it was challenged in Pennsylvania state court⁸ and is now subject to a preliminary injunction. Under the terms of that injunction—issued by the Commonwealth Court of Pennsylvania on October 2, 2012—voters may

⁷ Provided that if any person authorized to challenge a voter under RSA 659:27 objects to the use of such photo identification, the voter shall be required to execute a challenged voter affidavit.

⁸ *Applewhite et al. v. Commonwealth of Pennsylvania, et al.* Commonwealth Court of Pennsylvania (Filed May 1, 2012).

be asked for photo ID at the polls during the November election but voters lacking such ID can still vote a regular ballot. The petitioners' application for a permanent injunction of the law remains outstanding. In addition, the Department of Justice initiated an investigation on July 23, 2012 into whether the law complies with Section 2 of the Voting Rights Act and other federal voting rights laws.

Photo IDs Permitted

Prior to voting, a voter must provide one of the following valid forms of photo ID:

- Photo ID issued by the department of transportation that is not more than twelve months past the expiration date;
- Unexpired photo ID issued by the U.S. government that includes an expiration date;
- U.S. military photo ID that does not contain an expiration date, but notes that the expiration date is indefinite;
- Unexpired municipal employee Photo ID that includes an expiration date;
- Unexpired student photo ID from an accredited public or private higher education institution that includes an expiration date; or
- Unexpired photo ID from certain state care facilities that includes an expiration date.

Non-Photo IDs Permitted

A voter who has a religious objection to being photographed must provide a valid-without-photo driver's license or a valid-without-photo ID card issued by the department of transportation.

Limited Exception for Indigent Voters

A voter who is unable to produce the required ID on the grounds that he or she is indigent and cannot obtain such ID for free must cast a provisional ballot, and provide an affirmation to the county board within six days, affirming his or her identity and indigent status, or the ballot will not count.

Absentee Voting ID Requirements

An absentee voter who has been issued a current and valid driver's license must provide his or her license number. An absentee voter who has not been issued a current and valid driver's license can provide the last four digits of his or her social security number. A qualified absentee voter who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act or by an alternative ballot under the Voting Accessibility for the Elderly and Handicapped Act will not be required to provide proof of ID.

Free IDs

The department of transportation must issue free voter ID cards to any registered voter who provide an affirmation that they lack the ID the law requires and require ID for voting purposes.

Public Education Requirements

Between the effective date of the law and September 17, 2012, the photo ID specified in the law will be requested but not required. During this time frame, if any voter who will be required to produce photo ID starting on September 17, 2012 is unable to produce the photo ID requested, election officials will provide him or her with written information about the new law's requirements.

RHODE ISLAND

Effective Date: July 2, 2011. Certain provisions effective Jan. 1, 2012 and certain other provisions effective Jan. 1, 2014.

Photo IDs Permitted

Proper ID is defined as “a valid and current document showing a photograph of the persons to whom the document was issued, including without limitation”⁹:

- Rhode Island driver’s license;
- Rhode Island voter ID card (*i.e.*, new, free ID card for voters);
- U.S. passport;
- Photo ID from U.S. educational institution;
- U.S. military photo ID ;
- Any photo ID card issued by U.S. or Rhode Island; or
- Government-issued medical card with photo.

Until Jan. 1, 2014, voters may also prove their identity by showing non-photo documentation, “including without limitation”:

- Birth certificate
- Social security card
- Government-issued medical card

Exception available

Any voter without a qualifying photo ID can complete a provisional ballot application and cast a provisional ballot. If the signature on the provisional ballot application matches the signature on the voter registration, then the Board of Elections will count the ballot.

Affidavit Alternative

There is no affidavit alternative.

Early/Absentee Voting ID Requirements

The photo ID law does not apply to absentee voting. Under existing Rhode Island law, all absentee ballots must be either notarized or signed by two witnesses.

Free IDs

Rhode Island must start issuing free voter ID cards pursuant to regulations yet to be promulgated by the Secretary of State.

Public Education Requirements

No public education requirements are specified by statute.

⁹ The language, “without limitation,” suggests that any current photo identification that includes the name and photograph of the voter will be accepted.

SOUTH CAROLINA

Effective Date: The Department of Justice has denied preclearance approval and this change will not become effective until or unless it is precleared by a federal district court as required by the Voting Rights Act. South Carolina has sued for preclearance in federal court.¹⁰ Trial in the litigation concluded on August 31, 2012, oral argument was held on September 24, 2012, and a decision is expected in the near future.

Photo IDs Permitted

All voters must produce a “valid and current”:

- South Carolina driver’s license;
- Any other photo ID issued by South Carolina Department of Motor Vehicles;
- U.S. passport;
- U.S. military photo ID; or
- South Carolina voter registration card with photo (*i.e.*, new, free ID card for voters).

**Student IDs are not accepted in South Carolina for purposes of identification for voting.*

Affidavit Alternative

Persons with religious objections to being photographed or who have a “reasonable impediment” to obtaining a photo ID may cast a provisional ballot and submit an accompanying affidavit. County Boards of Registration and Elections must find such affidavits to be valid unless officials have grounds to believe that an affidavit is false. Affidavits must confirm the identity of the voter, state that the voter cast a provisional ballot, and state that:

- The voter has a religious objections to being photographed; or
- The voter has a “reasonable impediment” to obtaining photo ID. The voter must identify the impediment on the affidavit, unless otherwise prohibited by state or federal law.

Early/Absentee Voting ID Requirements

The photo ID law does not apply to mail-in absentee voting. Under preexisting South Carolina law, to vote absentee, a voter must have a witness attest to his or her signature, and consistent with federal law, if a first time voter registered by mail, they must include proof of identity under HAVA with their mail-in absentee ballot.

Free IDs

The State Elections Commission must make free voter registration card available to anyone aged 17 or older who shows a birth certificate or “other evidence acceptable to the department of his name and date of birth.”

Public Education Requirements

The State Elections Commission must establish an “aggressive” voter education program, including:

- Posting information at County boards and State elections offices, and on their websites;

¹⁰ *South Carolina v. Holder*, US District Court for the District of Columbia (Filed February 7, 2012).

- Training poll workers at their mandatory training sessions to answer questions from voters;
- Posting documentation at polling places describing the changes in the legislation;
- Conducting at least two county-wide public education seminars prior to December 15, 2011;
- Conducting additional seminars at the local or statewide levels
- Placing ads in State newspapers and with local media outlets to disseminate information concerning the changes;
- Notifying each registered voter who does not have State driver's license or ID card of the provisions of this act no later than Dec. 2011.

South Carolina's State Elections Commission must create a list containing all registered voters who are otherwise qualified to vote but do not have a South Carolina driver's license or other form photo ID issued by the Department of Motor Vehicles as of Dec. 1, 2011. The list must be made available to any registered voter upon request. The Commission may charge a reasonable fee for the list.

TENNESSEE

Effective Date: January 1, 2012

Photo IDs Permitted

Voter must supply "evidence of identification," defined as:

- Tennessee driver's license;
- Valid photo ID issued by Tennessee, any other state government, or U.S., provided that such ID contains a photograph; *except* a student ID card issued by institute of higher learning, which is specifically excluded;
- Valid non-driver ID card issued by Tennessee Department of Safety;
- Valid U.S. passport;
- Valid employee photo ID card issued by Tennessee, any other state government, or U.S., provided that such ID contains a photograph; or
- Valid U.S. military photo ID that contains a photograph;

Exceptions Available

The photo ID law does not apply to:

- Voters in nursing homes who are eligible to vote at their facility per existing law; or
- Voters eligible to cast an emergency absentee ballot due to hospitalization under existing law.

Affidavit Alternative

A voter who meets the following conditions may execute an affidavit of identity at the polls on Election Day and shall be permitted to vote:

- A voter who has a religious objection to being photographed;
- A voter who is indigent and unable to obtain proof of ID without payment of a fee.

Early/Absentee Voting ID Requirements

The photo ID requirements apply to all persons voting early. The photo ID law did not change absentee voting rules. Under preexisting Tennessee law, first-time voters who register to vote by mail cannot vote by absentee ballot; they must vote in person.

Free IDs

Free IDs are available if the elector is a U.S. citizen who will be at least 18 on the date of the next election, and the elector requests that the card be provided without charge for purposes of voting

Public Education Requirements

No public education requirements are specified by statute.

TEXAS

Effective Date: The Department of Justice has denied preclearance approval and this change will not become effective until or unless it is precleared by a federal district court as required by the Voting Rights Act. The Department of Justice has denied preclearance approval, and Texas sued for preclearance in federal court.¹¹ On August 30, 2012, federal court preclearance was denied on the ground that Texas had failed to meet its burden of showing that the law would not have a discriminatory effect on minority voters.

Photo IDs Permitted

The following are acceptable forms of photo identification:

- A driver's license, election ID certificate, or personal ID card issued to the person by the Department of Public Safety that is unexpired or expired no earlier than 60 days before the election (note: an election certificate issued to a person 70 years or older does not expire);
- U.S. military ID card that contains the person's photograph and is unexpired or expired no earlier than 60 days before the election;
- U.S. citizenship certificate issued to the voter with their photograph;
- U.S. passport that is unexpired or expired no earlier than 60 days before the election; or
- A license to carry a concealed handgun issued by the Department of Public Safety that is unexpired or expired no earlier than 60 days before the election.

Student IDs are not accepted in Texas for purposes of identification for voting.

Exceptions Available

A person may obtain an exemption from the ID requirement on the basis of disability if they produce a statement in a form determined by the Texas Secretary of State that the applicant does not have any of the prescribed forms of identification, and they have an:

- U.S. Social Security Administration determination of disability; or
- U.S. Department of Veterans Affairs disability rating of at least 50%.

Affidavit Alternative

¹¹ *Texas v. Holder*, U.S. District Court for the District of Columbia (Filed January 24, 2012).

A voter without a photo ID may cast a provisional ballot, which will count if she signs an affidavit attesting to the fact that she:

- has a religious objection to being photographed, or
- does not have an ID as a result of a natural disaster declared by the U.S. President or Texas' Governor no earlier than 45 days before the election and that disaster caused the inability to access the voter's ID.

The affidavit may be signed at the time the provisional ballot is cast or at the time the voter appears before the voter registrar within 6 days following the election to have the provisional ballot counted.

Early/Absentee Voting ID Requirements

The photo ID requirement does not apply to absentee voting, including early voting by mail. Photo ID requirements apply to all in-person or curbside early voting.

Free IDs

Texas will issue an Election Identification Certificate (EIC) to persons who do not have another qualifying ID for purposes of voting. The applicant must present a voter registration certificate or register to vote at the time of applying for an EIC. There is no fee for an initial or duplicate EIC.

Public Education Requirements

The voter registrar of each county shall provide notice of the identification requirements for voting and a detailed description of those requirements with each voter registration certificate or renewal registration certificate he or she issues. In addition, the Secretary of State, and the voter registrar of each county that maintains a website, shall provide notice of the ID requirements for voting in each language in which voter registration materials are available. The Secretary of State shall prescribe the wording of the notice to be included on the websites, and shall also conduct a statewide effort to educate voters regarding the identification requirements for voting. The county clerk of each county shall post in a prominent location at the clerk's office a physical copy of ID information in each language in which voter registration materials are available. Finally, the presiding judge at each polling place shall post a list of the acceptable forms of ID outside in a prominent place.

VIRGINIA

Effective Date: The law is currently in effect. It was granted preclearance by the Department of Justice on August 20, 2012.

Voter IDs Permitted

Prior to voting, a voter must provide one of the following forms of ID:

- Commonwealth of Virginia voter registration card;
- Social security card;
- Valid Virginia driver's license or any other ID issued by a Virginia government agency, one of its political subdivisions, or the U.S. government.
- Any valid student identification card issued by any institution of higher education located in the Commonwealth of Virginia;

- Any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or
- A copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter.

This law eliminates the preexisting option of executing an affidavit of identity when voting at the polls or applying for an absentee ballot in person, while expanding the list of acceptable IDs.

Early/Absentee Voting ID Requirements

This law applies to in-person applications for an absentee ballot.

Public Education Requirements

No public education requirements are specified by statute.

WISCONSIN

Effective Date: The law was passed but is not currently in effect. Two Wisconsin state courts have issued permanent injunctions barring enforcement of the law, and those rulings have been certified to the Court of Appeals.¹² The law cannot go into effect unless the Court of Appeals acts to reverse both rulings. In addition, two challenges to the law are pending in federal court.¹³

Photo IDs Permitted

A voter may use one of the following documents, so long as it is unexpired or expired after the date of the most recent election, the name of the individual to whom the document was issued (conforms to the individual's voter registration form), and contains a photograph of the individual:

- Wisconsin Driver's License;
- Wisconsin ID Card;
- ID card issued by a U.S. uniformed service;
- U.S. Passport;
- Certificate of U.S. Naturalization that was issued not earlier than 2 years before that Election Day;
- Unexpired ID card receipt (*i.e.*, receipt showing that the voter applied for a state ID, that unexpired receipt may be used as proof of identity);
- ID card issued by a federally-recognized Indian tribe in Wisconsin; or
- Unexpired ID card issued by a Wisconsin university or college that is accredited, that contains a date of issuance and signature of the individual to whom it is issued, and that contains an expiration date indicating that the card expires no later than 2 years after the

¹² Those cases are *League of Women Voters of Wisconsin v. Walker*. Wisconsin Court of Appeals, District IV (Filed: October 20, 2011) and *Milwaukee Branch of the NAACP v. Walker*. Dane County Circuit Court (Filed: December 16, 2011)

¹³ Those cases are *Frank v. Walker*. United States District Court for the Eastern District of Wisconsin. (Filed: December 13, 2011) and *Jones v. Deininger*. U.S. District Court for the Eastern District of Wisconsin (Filed: February 23, 2012).

date of issuance. The student must also establish that he or she is enrolled as a student or university or college on the date that the card is presented. Student IDs as they are currently issued by all post-secondary institutions are not accepted in Wisconsin for purposes of identification for voting.

Exceptions Available

- Military and overseas voters are exempt from providing statutory ID when requesting absentee ballot or voting absentee.
- A person designated as a confidential elector (such as a domestic violence victim or police officer) is not required to provide statutory ID if the voter has a confidential voter card issued by Law Enforcement Organization (LEO).
- A voter who has surrendered his or her driver license is not required to provide photo ID, but must provide the original copy of the citation or notice.
- Persons with a religious objection are not exempt from the ID requirement; however the law provides for such individuals to obtain an acceptable ID without a photograph.

Affidavit Alternative

There is no affidavit option for voting without an ID.

Early/Absentee Voting ID Requirements

ID required for both early voting and absentee voting. The following exceptions apply to absentee voting:

- An absentee elector, who has received an absentee ballot from the municipal clerk by mail for a previous election, has provided a copy of statutory ID with that previous absentee ballot, and has not changed his or her name or address since providing statutory ID, is not required to provide statutory ID with subsequent absentee ballots.
- An indefinitely confined elector may submit a statement with the indefinitely confined elector's address, signed by the individual who witnesses the absentee certificate envelope verifying that elector's name and address.
- Electors residing in a qualified retirement home, qualified community-based residential facility, certified residential care apartment complex, certified or licensed adult family home where the municipal clerk does not send special voting deputies for absentee voting are exempted. Otherwise, these electors may submit a statement signed by the individual who witnesses the absentee certificate envelope that contains: (1) the certification of the authorized representative that the elector resides there; (2) the complex, facility or home is registered or certified as required by law; and (3) the name and address of the elector.
- When absentee voting is conducted by special voting deputies in certain homes, facilities and complexes, the absentee elector may submit a statement with the absentee elector's name and address signed by the special voting deputies verifying the absentee elector's name and address are correct. The statement shall be enclosed in the certificate envelope. If the elector presents statutory ID, the special voting deputies shall make a copy and enclose it in the certificate envelope.
- A voter who has surrendered his or her driver license is not required to provide photo ID, but must provide the original copy of the citation or notice.
- A person designated as a confidential elector (such as a domestic violence victim or police officer) is not required to provide statutory ID if the voter has a confidential voter card issued by Law Enforcement Organization (LEO).

Free IDs

DOT-issued identification cards can be obtained for free (both as initial issuances or renewal), if the elector is a U.S. citizen who will be at least 18 on the date of the next election, and the elector requests that the card be provided without charge for purposes of voting. If there is a religious objection, a card may be issued without a photograph.

Public Education Requirement

The Government Accountability Board is required to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements the new photo identification and proof of residence requirements. Any voter casting an in-person ballot before the 2012 Spring Primary Election who cannot produce or refuses to produce photo ID will be given information in writing about the new photo ID requirements.



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Voter Identification Requirements



Voter ID Requirements Currently in Effect

Strict Photo	Photo	Non-Photo	No Voter ID Law
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PLEASE NOTE: IF YOU ARE UNABLE TO SEE THE INTERACTIVE MAP, PLEASE REFER TO THE DETAILED TABLE BELOW.

PLEASE NOTE:

- Enforcement of Pennsylvania's voter ID law was enjoined for the November 2012 election by a state judge. A legal challenge to the law is presently scheduled for July 2013. The judge has said that he will decide by March 21, 2013, whether or not to continue the injunction that applied to the November 2012 elections. Until that decision is announced, it is uncertain whether the voter ID law will be applied in the May 21, 2013 primary elections.
- Alabama will become a photo ID state in 2014 if its new law receives pre-clearance under Section 5 of the Voting Rights Act.
- Mississippi and Texas have new strict photo ID laws which may take effect in future elections if they receive pre-clearance under Section 5 of the Voting Rights Act.
- Wisconsin's new strict photo ID law was held unconstitutional on March 12, 2012.

Updated January 30, 2013

Latest News

October 11, 2012: A federal district court in Washington, D.C. has granted pre-clearance for South Carolina's voter ID law, but delayed implementation until 2013. The state's older, less strict ID law will remain in effect for the November 2012 election.

October 2, 2012: A state judge temporarily halted enforcement of Pennsylvania's voter ID law for the November election. The judge stated that an insufficient number of IDs had been issued for voting purposes at the five-week mark preceding the election, and ordered that while poll workers can still ask voters for ID, they must allow those without ID to vote. Read the order [here](#). There will be a status conference on December 13, 2012 to prepare for a trial on the application for a permanent injunction.

September 4, 2012: The Dept. of Justice granted pre-clearance for New Hampshire's voter ID law.

August 30, 2012: A federal district court in Washington, D.C. has denied pre-clearance for Texas's voter ID law. Pre-clearance was denied by the U.S. Dept. of Justice in March 2012 and Texas applied to the court for reconsideration. Any appeal of [today's decision](#) would go to the U.S. Supreme Court.

August 22, 2012: The U.S. Department of Justice granted pre-clearance for Virginia's amendment to its voter ID law, meaning it can be used in the November election. Virginia's law is not as strict as the laws that were denied pre-clearance in South Carolina and Texas.

Introduction

Thirty states presently have laws in place that will require all voters to show ID at the polls this November. That number could rise; a total of thirty-three states have passed voter ID laws. Mississippi, Pennsylvania and Wisconsin presently have no voter ID requirement in place, even though laws have been enacted in those states. In Mississippi's case, the strict photo ID amendment passed by citizen initiative in November 2011 requires both implementing legislation and pre-clearance under Section 5 of the Voting Rights Act before it can be implemented. Wisconsin's new strict photo ID law, passed by the legislature in 2011, was briefly in effect in early 2012, but it was declared unconstitutional by a state judge on March 12, 2012. The state is barred from enforcing the law unless an appeal overturns the March 12 ruling. Pennsylvania's new voter ID law was not in effect for the November 2012 elections after a state judge temporarily enjoined enforcement on October 2, 2012.

In Alabama and Texas, less-strict voter ID laws that pre-date the strict new laws passed in 2011 remain in effect for now. Alabama's new voter ID law has a 2014 effective date, and requires Section 5 pre-clearance. Texas was denied pre-clearance for their new voter ID laws by the U.S. Department of Justice; as in Alabama, an older, non-photo ID law remains in effect. Most recently, Texas's voter ID was denied pre-clearance by a federal district court. That court has deferred any further proceedings in the case until the U.S. Supreme Court rules on the constitutionality of Section 5 of the Voting Rights Act later in 2013.

The 33 voter ID laws that have been enacted vary in their details. Two key distinctions are whether a law is *strict* or not, and whether or not the ID must include a photo.

- Strict vs. Non-Strict:** In the "strict" states, a voter cannot cast a valid ballot without first presenting ID. Voters who are unable to show ID at the polls are given a provisional ballot. Those provisional ballots are kept separate from the regular ballots. If the voter returns to election officials within a short period of time after the election (generally a few days) and presents acceptable ID, the provisional ballot is counted. If the voter does not come back to show ID, that provisional ballot is never counted.
- Photo vs. Non-Photo:** Some states require that the ID presented at the polls must show a photo of the voter. Some of these are "strict" voter ID laws, in that voters who fail to show photo ID are given a provisional ballot and must eventually show photo ID in order to get that provisional ballot counted. Others are "non-strict," and voters without ID have other options for casting a regular ballot. They may be permitted to sign an affidavit of identity, or poll workers may be able to vouch for them if they know them personally. In these "non-strict" states, voters who fail to bring ID on Election Day aren't required to return to election officials and show ID in order to have their ballot counted. In the other voter ID states, there is a wide array of IDs that are acceptable for voting purposes, some of which do not include a photo of the voter. Again, some of these states are "strict" in the sense that a voter who fails to bring ID on Election Day will be required to vote a provisional ballot, and that provisional ballot will be counted only if the voter returns to election officials within a few days to show acceptable ID.

For specifics on what forms of identification are acceptable and the options available to voters who cannot present identification, see [Table 2](#).

States that Have Enacted Voter ID Laws

Not all of the laws listed below have taken effect. Please see the footnotes for detailed information.

States that Request or Require Photo ID		States that Require ID (Photo Not Required)	
Strict Photo ID <i>In effect:</i>	Photo ID <i>In effect:</i>	Strict Non-Photo ID <i>In effect:</i>	Non-Strict Non-Photo ID <i>In effect:</i>
Georgia	Florida	Arizona	**Alabama (1), (5)
Indiana	Hawaii	Ohio	Alaska
Kansas	Idaho	Virginia	Arkansas
Tennessee	Louisiana		Colorado
	Michigan		Connecticut
<i>Not yet in effect:</i>	New Hampshire		Delaware
*Mississippi (6)	South Dakota		Kentucky
*Pennsylvania (7)			Missouri
**Texas (1)	<i>Not yet in effect:</i>		Montana
*Wisconsin (2)	**Alabama (1), (5)		North Dakota
			Oklahoma (3)
			Rhode Island (4)
			South Carolina
			**Texas (1)
			Utah
			Washington

* New voter ID law has not yet been implemented; state presently has no voter ID law in effect.

** New voter ID law has not yet been implemented; an older voter ID law remains in effect.

(1) In Alabama and Texas, current non-photo voter ID laws stay in effect for the time being. The new photo voter ID requirements will take effect after receiving preclearance under Section 5 of the Voting Rights Act. Texas was denied pre-clearance in December 2011. Alabama's new photo ID law has a 2014 effective date, and the state has not yet applied for pre-clearance. The Texas law was recently denied pre-clearance for a second time by a federal court in D.C..

(2) Wisconsin's voter ID law was declared unconstitutional on March 12, 2012. Dane County Circuit Judge Richard Nies issued a permanent injunction barring enforcement of the law, which the state has said it will appeal. Read the March 6 [injunction](#) and the March 12 [injunction](#).

(3) There are some who prefer to call Oklahoma a photo voter ID state, because most voters will show a photo ID before voting. However, Oklahoma law also permits a voter registration card issued by the appropriate county elections board to serve as proof of identity in lieu of photo ID.

(4) Rhode Island's voter ID law takes effect in two stages. The first stage, requiring a non-photo ID, took effect on January 1, 2012. On January 1, 2014, a photo ID requirement will replace the non-photo ID law.

(5) Alabama's new photo ID requirement takes effect with the 2014 statewide primary election. The new law also requires preclearance. The delayed implementation date was intended to ensure that the timing of preclearance did not occur between the primary and general elections of 2012, thus creating voter confusion.

(6) Mississippi's new voter ID law was passed via the citizen initiative process. However, the language in constitutional amendment passed by MS voters on Nov. 8 is very general, and implementing legislation will be required before the amendment can take effect. The MS provision will also require pre-clearance under Section 5

of the Voting Rights Act before it can take effect.

(7) A state judge temporarily blocked enforcement of Pennsylvania's new voter ID law. It will not be in effect for the November 2012 election, and a trial on its permanent status will begin after the election.

2013 Legislative Action

As of January 30, legislation is pending in a total of 22 states; this includes new voter ID proposals in nine states, proposals to strengthen existing photo ID laws in six states and other changes to existing photo ID laws in seven states. [View a summary of these bills.](#)

2012 Legislative Action

Voter ID continued to be a high-profile issue in many state legislatures last year, with legislation introduced in 32 states. That includes new voter ID proposals in 14 states, proposals to strengthen existing voter ID laws in ten states, and bills in nine states to amend the new voter ID laws passed in 2011. New voter ID laws were passed in four states -- Minnesota, New Hampshire, Pennsylvania and Virginia. Minnesota's law required voter approval in November 2012, however, which it did not receive. [Learn more about voter ID legislation introduced in 2012.](#)

2011 Legislative Action

Voter ID was the hottest topic of legislation in the field of elections in 2011, with legislation introduced in 34 states. There were just three states--Oregon, Vermont and Wyoming--that didn't have a voter ID law and didn't consider voter ID legislation that year. The voter ID legislation under consideration fell into two general categories: proposals for new voter ID laws in states that didn't already require voter ID at the polls (considered in 20 states), and proposals to strengthen existing voter ID requirements in order to require photo ID at the polls (considered in 14 states). [Learn more about voter ID legislation introduced in 2011.](#)

2003-2012 Legislative Action

Voter ID has been a hot topic in state legislatures over the past decade. Since 2001, nearly 1,000 bills have been introduced in a total of 46 states. Twenty-four states have passed major legislation during the period 2003-2012 (not including gubernatorial vetoes in five states in 2011), and those bills are summarized in the timeline below.

- 2003: New voter ID laws were passed in Alabama, Colorado, Montana, North Dakota and South Dakota
- 2005: New voter ID laws were passed in Indiana, New Mexico and Washington; Georgia tightened an existing voter ID law to require photo ID
- 2006: New voter ID law passed in Ohio; Georgia passed a law providing for the issuance of voter ID cards at no cost to registered voters who do not have a driver's license or state-issued ID card; Missouri tightened an existing voter ID law to require photo ID
- 2008: New Mexico relaxed an existing voter ID law, and now allows a voter to satisfy the ID requirement by stating his/her name, address as registered, and year of birth
- 2009: New voter ID law passed in Utah
- 2010: New voter ID law passed in Idaho; Oklahoma voters approved a voter ID proposal placed on the ballot by the Legislature
- 2011: New voter ID laws passed in Kansas, Mississippi, Rhode Island and Wisconsin. Alabama, South Carolina, Tennessee and Texas tightened existing voter ID laws to require photo ID (new laws in Texas and South Carolina are on hold pending USDOJ preclearance). Governors in Minnesota, Missouri, Montana, New Hampshire and North Carolina vetoed strict new photo ID laws in 2011.
- 2012: Minnesota, New Hampshire, Pennsylvania and Virginia passed new voter ID laws. Voters ultimately rejected Minnesota's voter ID law however, and it will not take effect.

Recent Litigation

Arizona: On October 20, 2005, the U.S. Supreme Court vacated an October 6, 2006 9th Circuit Court of Appeals decision that suspended Arizona's requirements, pending further litigation. The ID law was in effect for Arizona's 2008 election, and remained in effect in 2008.

Georgia: On October 27, 2006, the 11th U.S. Circuit Court of Appeals upheld an injunction barring Georgia from enforcing its photo ID law. The injunction was issued a week earlier by a U.S. District Court judge. Georgia's voter ID requirement was reinstated by a federal judge in mid-2007.

Indiana: Photo ID law was upheld by 7th Circuit U.S. Court of Appeals on January 4, 2007. The U.S. Supreme Court upheld the ruling on appeal in April 2008.

Michigan: The Michigan Supreme Court ruled July 18, 2007 that a voter ID law originally passed in 1996 (but never implemented due to a ruling by the state's Attorney General) is constitutional and enforceable.

Missouri: On October 16, 2006, the Missouri State Supreme Court struck down the state's photo ID requirement. ID is still required to vote, but the list of acceptable forms of ID is much broader and includes some forms without a photo.

Ohio: On November 1, 2006, the secretary of state issued an order suspending the requirement that voters present photo ID at the polls for the November 2006 election. The order did not apply to future elections, and voter ID requirements were in effect for 2008.

Pennsylvania: On October 2, 2012, a state court judge temporarily enjoined enforcement of the state's voter ID law, citing the fact that too few IDs had been issued for voting purposes at the five week mark prior to the election. Poll workers will be permitted to ask voters for ID, but all voters will be permitted to vote a regular ballot regardless of whether or not they have or present ID.

Wisconsin: A state judge ruled the voter ID law unconstitutional on March 12, 2012. An appeal is expected.

Details of Voter Identification Requirements

Table 2: Details of Voter Identification Requirements

State	Requirement	Acceptable Forms of ID	Voters Without ID
Alabama §17-9-30 <i>NOTE: AL's new photo ID law is scheduled to take effect for the 2014 primary election.</i>	Existing Law: Each elector shall provide identification to an appropriate election official prior to voting. New Law:	Existing Law: <ul style="list-style-type: none"> • Government-issued photo ID • U.S. passport • U.S. military ID • Employee ID card with photo • Alabama college/university ID with photo 	Existing Law: Vote a challenged or provisional ballot or vote, if s/he is identified by two poll workers as an eligible voter on the poll list, and both poll workers sign the voting sign-in register by the voter's name.

<p><i>It also requires preclearance by the USDOJ.</i></p>	<p>Each elector shall provide valid photo identification to an appropriate election official prior to voting.</p>	<ul style="list-style-type: none"> . Alabama hunting or fishing license . Alabama gun permit . FAA-issued pilot's license . Birth certificate (certified copy) . Social security card . Naturalization document . Court record of adoption or name change . Medicaid or Medicare card . Electronic benefits transfer card . Utility bill, bank statement, government check, paycheck or government document showing name and address of voter <p><i>New Law:</i></p> <ul style="list-style-type: none"> . Valid Alabama driver's license or non-driver ID card . Valid photo voter ID card or other valid ID card issued by any state or the federal government, as long as it contains a photo . Valid U.S. passport . Valid government employee ID card with a photo . Valid student or employee ID card issued by a college or university in the state, provided it includes a photo . Valid U.S. military ID card containing a photo . Valid tribal ID card containing a photo 	<p><i>New Law:</i></p> <p>Vote a provisional ballot or vote a regular ballot if s/he is identified by two election officials as an eligible voter on the poll list, and both election workers sign a sworn affidavit so stating.</p>
<p>Alaska §15.15.225</p>	<p>Before being allowed to vote, each voter shall exhibit to an election official one form of identification.</p>	<ul style="list-style-type: none"> . Official voter registration card . Driver's license . Birth certificate . Passport . Hunting or fishing license . Current utility bill, bank statement, paycheck, government check or other government document with the voter's name and address 	<p>An election official may waive the identification requirement if the election official knows the identity of the voter. A voter who cannot exhibit a required form of identification shall be allowed to vote a questioned ballot.</p>
<p>Arizona §16-579(A)</p>	<p>Every qualified elector shall present one form of identification that bears the name, address and photograph of the elector or two different forms of identification that bear the name and address of the elector.</p>	<ul style="list-style-type: none"> . Valid Arizona driver's license . Valid Arizona non-driver identification . Tribal enrollment card or other form of tribal identification . Valid U.S. federal, state or local government issued identification . Utility bill dated within 90 days of the election . Bank or credit union statement dated within 90 days of the election . Valid Arizona vehicle registration . Indian census card . Property tax statement . Vehicle insurance card . Recorder's Certificate 	<p>An elector who does not provide the required identification shall receive a provisional ballot. Provisional ballots are counted only if the elector provides identification to the county recorder by 5pm on the fifth business day after a general election that includes an election for federal office, or by 5pm on the third business day after any other election.</p>
<p>Arkansas §7-5-305</p>	<p>Election officials shall request the voter to provide identification</p>	<ul style="list-style-type: none"> . Current and valid photo ID . Copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter 	<p>If a voter is unable to provide this identification, the election official shall indicate on the precinct voter registration list that the voter did not provide identification. Following each election, the county board of election commissioners may review the precinct voter registration lists and may provide the information of the voters not providing</p>

			identification at the polls to the prosecuting attorney, who may investigate possible voter fraud.
<p>Colorado §1-1-104(19.5) and 1-7-110</p>	<p>Any eligible elector desiring to vote shall show his or her identification as defined in section 1-1-104 (19.5).</p>	<ul style="list-style-type: none"> • Colorado driver's license • CO Dept. of Revenue ID card • U.S. passport • Employee ID card with photo issued by the U.S. government, CO state government, or political subdivision of CO • Pilot's license • U.S. military ID with photo • A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the elector • Medicare or Medicaid card • Certified copy of birth certificate • Certified documentation of naturalization 	<p>An eligible elector who is unable to produce identification may cast a provisional ballot.</p> <p>The designated election official shall attempt to verify that an elector who cast a provisional ballot is eligible to vote. The designated election official or designee shall complete the preliminary verification of the elector's eligibility to vote before the ballot is counted. (§1-8.5-105)</p>
<p>Connecticut §9-261</p>	<p>Each elector shall present identification</p>	<ul style="list-style-type: none"> • Social security card • Any other preprinted form of identification which shows the elector's name and either the elector's address, signature or photograph 	<p>Elector shall, on a form prescribed by the Secretary of the State, write the elector's residential address and date of birth, print the elector's name and sign a statement under penalty of false statement that the elector is the elector whose name appears on the official checklist.</p>
<p>Delaware Tit. 15, §4937</p>	<p>A voter, upon entering the room where an election is being held, shall announce his or her name and address and provide proof of identity</p>	<ul style="list-style-type: none"> • Photo ID • Utility bill • Paycheck • Any government document with voter's name and address 	<p>In the event the voter does not have proof of identity with them, he or she shall sign an affidavit of affirmation that he or she is the person listed on the election district record.</p>
<p>Florida §101.043</p>	<p>The clerk or inspector shall require each elector, upon entering the polling place, to present a current and valid picture identification as provided in s. 97.0535(3)(a). If the picture identification does not contain the signature of the voter, an additional identification that provides the voter's signature shall be required.</p>	<ul style="list-style-type: none"> • Florida driver's license • Florida ID card issued by the Dept. of Highway Safety and Motor Vehicles • U.S. passport • Debt or credit card • Military identification • Student identification • Retirement center identification • Neighborhood association ID • Public assistance identification 	<p>If the elector fails to furnish the required identification, the elector shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot by determining whether the elector is entitled to vote at the precinct where the ballot was cast and that the elector had not already cast a ballot in the election.</p> <p>Florida uses signature matching: the voter signs the provisional ballot envelope. That signature is compared to the signature in the voter registration records. If they match, the ballot is counted.</p>
<p>Georgia §21-2-417</p>	<p>Each elector shall present proper identification to a poll worker at or prior to completion of a voter's certificate at any polling place and prior to such person's admission to the enclosed space at such polling place.</p>	<ul style="list-style-type: none"> • Georgia driver's license, even if expired • ID card issued by the state of Georgia or the federal government • Free voter ID card issued by the state or county • U.S. passport • Valid employee ID card containing a photograph from any branch, department, agency, or entity of the U.S. Government, Georgia, or any county, municipality, board, authority or other entity of this state • Valid U.S. military identification card 	<p>If you show up to vote and you do not have one of the acceptable forms of photo identification, you can still vote a provisional ballot. You will have up to three days after the election to present appropriate photo identification at your county registrar's office in order for your provisional ballot to be counted.</p>

		<ul style="list-style-type: none"> Valid tribal photo ID 	
<p>Hawaii §11-136</p>	<p>Every person shall provide identification if so requested by a precinct official.</p>	<p>Pollworkers request photo ID with a signature. Acceptable types of ID are not specified by law.</p>	<p>If the voter has no identification, the voter will be asked to recite his/her date of birth and residence address to corroborate the information provided in the poll book.</p>
<p>Idaho §34-1106(2), 34-1113, 34-1114</p>	<p>Each elector shall show a valid photo identification or personal identification affidavit.</p>	<ul style="list-style-type: none"> Idaho driver's license Idaho ID card Passport ID card, including a photo, issued by an agency of the U.S. government Tribal ID card, including a photograph Student ID card, including a photograph, issued by a high school or accredited institution of higher education within the state of Idaho 	<p>A voter may complete an affidavit in lieu of the personal identification. The affidavit shall be on a form prescribed by the secretary of state and shall require the voter to provide the voter's name and address. The voter shall sign the affidavit. Any person who knowingly provides false, erroneous or inaccurate information on such affidavit shall be guilty of a felony.</p>
<p>Indiana §3-5-2-40.5, 3-10-1-7.2 and 3-11-8-25.1</p>	<p>A voter who desires to vote an official ballot at an election shall provide proof of identification.</p> <p>A voter who votes in person at a precinct polling place that is located at a state licensed care facility where the voter resides is not required to provide proof of identification before voting in an election.</p>	<p>Specific forms of ID are not listed in statute. ID must be issued by the state of Indiana or the U.S. government and must show the following:</p> <ul style="list-style-type: none"> Name of individual to whom it was issued, which must conform to the individual's registration record Photo of the person to whom it was issued Expiration date (if it is expired, it must have an expiration date after the most recent general election; military IDs are exempted from the requirement that ID bear an expiration date) Must be issued by the United States or the state of Indiana 	<p>Voters who are unable or decline to produce proof of identification may vote a provisional ballot. The ballot is counted only if (1) the voter returns to the election board by noon on the Monday after the election and: (A) produces proof of identification; or (B) executes an affidavit stating that the voter cannot obtain proof of identification, because the voter: (i) is indigent; or (ii) has a religious objection to being photographed; and (2) the voter has not been challenged or required to vote a provisional ballot for any other reason.</p>
<p>Kansas §25-2908, 25-1122, 25-3002, and 8-1324 (g)(2)</p>	<p>Each person desiring to vote shall provide a valid form of identification. The following are exempted from the ID requirement:</p> <ul style="list-style-type: none"> Persons with a permanent physical disability that makes it impossible for them to travel to obtain voting identification and who have permanent advance voting status Members of the merchant marine and uniformed service members who are on active duty and absent from the county on Election Day, as well as their spouses and dependents Any voter whose religious beliefs prohibit photographic identification 	<p>The following forms of identification are valid if they contain the name and photograph of the voter and have not expired. Expired documents are valid if the bearer is aged 65 or older.</p> <ul style="list-style-type: none"> Driver's license issued by Kansas or another state State identification card Government-issued concealed carry handgun or weapon license U.S. passport Employee badge or identification document issued by a government office or agency Military ID Student ID issued by an accredited postsecondary institution in Kansas Government-issued public assistance ID card 	<p>A voter who is unable or refuses to provide current and valid identification may vote a provisional ballot.</p> <p>To have his or her ballot counted, the voter must provide a valid form of identification to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers.</p>
<p>Kentucky §117.227</p>	<p>Election officers shall confirm the identity of each voter by personal acquaintance or by a document.</p>	<ul style="list-style-type: none"> Driver's license Social Security card Credit card 	<p>When the officers of an election disagree as to the qualifications of a voter or if his right to vote is disputed by a challenger, the voter shall sign a written oath as to his qualifications before he is permitted to vote.</p>
<p>Louisiana §18:562</p>	<p>Each applicant shall identify himself, in the presence and view</p>	<ul style="list-style-type: none"> Louisiana driver's license Louisiana special ID card 	<p>If the applicant does not have identification, s/he shall sign an affidavit to that effect before the</p>

	of the bystanders, and present identification to the commissioners.	<ul style="list-style-type: none"> Other generally recognized picture identification 	commissioners, and the applicant shall provide further identification by presenting his current registration certificate, giving his date of birth or providing other information stated in the precinct register that is requested by the commissioners. However, an applicant that is allowed to vote without the picture identification required by this Paragraph is subject to challenge as provided in R.S. 18:565.
Michigan §168.523	Each voter must show a photo ID or sign an affidavit attesting that he or she is not in possession of photo identification.	<ul style="list-style-type: none"> Michigan driver's license Michigan personal identification card <p>A voter who does not possess either of the above may show any of the following, as long as they are current:</p> <ul style="list-style-type: none"> Driver's license or personal identification card issued by another state Federal or state government-issued photo ID U.S. passport Military ID with photo Student ID with photo -- from a high school or accredited institution of higher education Tribal ID with photo 	An individual who does not possess, or did not bring to the polls, photo ID, may sign an affidavit and vote a regular ballot.
Mississippi §23-15-563 <i>Mississippi's voter ID law requires USDOJ pre-clearance before it can take effect.</i>	<p><i>NOTE: Mississippi's voter ID law is not in effect for the November 2012 election.</i></p> <p>An elector who votes in person in a primary or general election shall present government-issued photo identification before being allowed to vote. Voters who live and vote in a state-licensed care facility are exempt.</p>	<p><i>NOTE: Mississippi's voter ID law is not in effect for the November 2012 election.</i></p> <p>Mississippi's new constitutional amendment simply says "government-issued photo identification." Implementing legislation and/or administrative rules will be necessary to define precisely what this means.</p>	<p><i>NOTE: Mississippi's voter ID law is not in effect for the November 2012 election.</i></p> <p>An individual without ID can cast an affidavit ballot which will be counted if the individual returns to the appropriate circuit clerk within five days after the election and shows government-issued photo ID.</p> <p>Voters with a religious objection to being photographed may vote an affidavit ballot, which will be counted if the voter returns to the appropriate circuit clerk within five days after the election and executes an affidavit that the religious exemption applies.</p>
Missouri §115-427	Before receiving a ballot, voters shall establish their identity and eligibility to vote at the polling place by presenting a form of personal identification.	<ul style="list-style-type: none"> Identification issued by the federal government, state of Missouri, an agency of the state, or a local election authority; Identification issued by Missouri institution of higher education, including a university, college, vocational and technical school; A copy of a current utility bill, bank statement, paycheck, government check or other government document that contains the name and address of the voter; Driver's license or state identification card issued by another state. 	If an individual does not possess any of these forms of identification, s/he may still cast a ballot if two supervising election judges, one from each major political party, attest they know the person.
Montana §13-13-114	Before an elector is permitted to receive a ballot or vote, the elector shall present to an election judge a	<ul style="list-style-type: none"> Driver's license School district or postsecondary education photo identification 	If the identification presented is insufficient to verify the elector's identity and eligibility to vote or if

	<p>current photo identification showing the elector's name. If the elector does not present photo identification the elector shall present one of several specified documents showing the elector's name and current address.</p>	<ul style="list-style-type: none"> • Tribal photo identification • Current utility bill, bank statement, paycheck, notice of confirmation of voter registration, government check, or other government document that shows the elector's name and current address 	<p>the elector's name does not appear in the precinct register, the elector may sign the precinct register and cast a provisional ballot.</p> <p>Montana uses signature verification to verify the eligibility of provisional ballots. If the voter's signature on the provisional ballot affirmation matches the signature on the voter's registration record, the ballot is counted. (§13-15-107 (2))</p>
<p>New Hampshire §659:13</p>	<p>The ballot clerk shall request that the voter present a valid photo identification. If the voter does not have a valid photo identification, the ballot clerk shall inform the voter that he or she may execute a qualified voter affidavit.</p>	<p>Through Aug. 30, 2013:</p> <ul style="list-style-type: none"> • A driver's license from NH or any other state, regardless of expiration date • A photo ID card issued by the NH director of motor vehicles • A voter ID card issued under R.S. 260:21 • A U.S. armed services photo ID card • A U.S. passport, regardless of expiration date • A valid student ID card • Any other valid photo ID issued by federal, state, county or municipal government • Any other photo ID that is determined to be legitimate by the supervisors of the checklist, the moderator, or the town or city clerk, provided that if any person authorized to challenge a voter under RSA 659:27 objects to the use of such photo identification, the voter shall be required to execute a qualified voter affidavit as if no identification was presented. <p>Beginning Sept. 1, 2013, the following IDs will be accepted if the name on the ID is substantially similar to that on the voter registration record and the expiration date does not exceed five years:</p> <ul style="list-style-type: none"> • A driver's license from any state • A non-driver ID issued by the motor vehicle agency of any state • A U.S. armed services ID card • A U.S. passport 	<p>A person's identity may be verified by a moderator or supervisor of the checklist or the town or city clerk, but if any person authorized to challenge a voter under RSA 659:27 objects to such verification, the voter shall be required to execute a challenged voter affidavit.</p> <p>If a voter does not have a valid photo identification, the ballot clerk shall inform the voter that he or she may execute a qualified voter affidavit. The voter may then cast a regular ballot.</p> <p>Within 60 days after the election, the secretary of state is required to mail a non-forwardable letter to each voter who executed a qualified voter affidavit, notifying the person that a person who did not present valid photo identification voted using his or her name and address and instruct the person to return the letter within 90 days with a written confirmation that the person voted or to contact the attorney general immediately if he or she did not vote. Any such letters returned as undeliverable must be turned over to the attorney general, who shall investigate for voter fraud. Notice from any voter receiving such a letter that s/he did not vote is also forwarded to the attorney general for investigation. The secretary must also turn over to the attorney general a list of all voters who fail to respond to the letter to confirm that they voted.</p>
<p>North Dakota §16.1-05-07</p>	<p>Before delivering a ballot to an individual, the poll clerks shall request the individual to show identification.</p>	<ul style="list-style-type: none"> • Valid driver's license or state ID card • Valid passport or federal agency ID card • Valid government-issued tribal ID card • Valid student ID card • Valid U.S. military ID card • Utility bill dated 30 days prior to election day with name and residential address • Change of address verification letter from U.S. Postal Service 	<p>If an individual offering to vote does not have or refuses to show an appropriate form of identification, the individual may be allowed to vote without being challenged if a pollworker is able to vouch for the voter's identity and address. Otherwise, the individual may vote as a challenged voter by executing an affidavit that the challenged individual is a legally qualified elector of the precinct.</p>
<p>Ohio §3503.16(B)(1)(a) and 3505.18(A)(1)</p>	<p>All voters must provide to election officials at the polling place on the</p>	<ul style="list-style-type: none"> • Current and valid photo identification, defined as a 	<p>A voter who has but declines to provide identification may cast a</p>

	day of an election proof of the voter's identity. Also applies to voters requesting and voting an absentee ballot.	document that shows the individual's name and current address, includes a photograph, includes an expiration date that has not passed, and was issued by the U.S. government or the state of Ohio <ul style="list-style-type: none"> Current utility bill Current bank statement Current government check, paycheck or other government document 	provisional ballot upon providing a social security number or the last four digits of a social security number. A voter who has neither identification nor a social security number may execute an affidavit to that effect and vote a provisional ballot. A voter who declines to sign the affidavit may still vote a provisional ballot. Voters who cast a provisional ballot because they did not provide acceptable proof of identity must appear in person at the board of elections to provide such proof within the 10 days immediately following Election Day. (see the Ohio Secretary of State's FAQ on provisional voting)
Oklahoma 26 O.S. 2001, §7-114	Each person appearing to vote shall provide proof of identity.	"Proof of Identity" shall mean a document that satisfies the following: <ul style="list-style-type: none"> Shows a name that substantially conforms to the name in the precinct registry Shows a photograph Includes an expiration date that is after the date of the election Was issued by the United States, state of Oklahoma, or a federally recognized Indian tribe or nation A voter registration card issued by the appropriate county elections board may serve as proof of identity without meeting all of the above requirements.	A person who declines or is unable to produce proof of identity may sign a statement under oath swearing or affirming that the person is the person identified on the precinct registry and cast a provisional ballot. Information provided by a person who votes a provisional ballot shall be investigated by the secretary of the county election board after the election. A provisional ballot shall be counted only if it is cast in the precinct of the voter's residence and if evidence of the provisional voter's valid voter registration, or of the voter's identity, is found. (§26-7-116.1) From the State Election Board's website : After election day, County Election Board officials will investigate the information provided by the voter on the affidavit and either will approve the provisional ballot for counting or will reject it based on the outcome of that investigation. In order for a provisional ballot to be approved for counting, the information on the affidavit must match the information in the voter's registration record.
Pennsylvania NOTE: PA's voter ID law will not be in effect for the November 2012 election.	NOTE: PA's voter ID law will not be in effect for the November 2012 election. Each elector who appears to vote and desires to vote shall present proof of identification.	NOTE: PA's voter ID law will not be in effect for the November 2012 election. Identification must satisfy the following: <ul style="list-style-type: none"> Shows the name of the individual, which must substantially conform to the individual's name on the precinct register Show a photograph of the individual to whom it was issued Be issued by the U.S. government, Commonwealth of PA, a municipality of the Commonwealth to an employee of the municipality, an accredited PA private or public institution of higher learning or a PA care facility 	NOTE: PA's voter ID law will not be in effect for the November 2012 election. A voter who is indigent and unable to obtain ID without any payment or fee, or who is otherwise unable to obtain ID, may vote a provisional ballot. A voter who casts a provisional ballot because he or she is unable to provide proof of identification must execute an affirmation that he or she is the same person who appeared to vote on election day and do one of the following within six calendar days after the election: <ul style="list-style-type: none"> Appear in person at the county board of elections to complete

		<ul style="list-style-type: none"> Include an expiration date and not be expired (exception for a military ID with an indication that it has an indefinite expiration date or a PA driver's license or non-driver ID card that is not more than 12 months past the expiration date) 	<p>the affirmation and present proof of identification;</p> <ul style="list-style-type: none"> Submit an electronic, facsimile or paper copy of the affirmation and the proof of identification. <p>A voter who is indigent and unable to obtain proof of identification without payment of a fee must submit an affirmation that he or she is the same person who appeared to vote on election day and that he or she is indigent in the same time frame and manner as described above.</p>
<p>Rhode Island §17-19-24.2 <i>NOTE: RI's new voter ID law takes effect in two stages. The first stage took effect on Jan. 1, 2012. The second stage will require photo ID beginning Jan. 1, 2014.</i></p>	<p>Any person claiming to be a registered and eligible voter who desires to vote at a primary, special or general election shall provide proof of identity.</p>	<p>Effective Jan. 1, 2012:</p> <p>A valid and current document showing a photo of the person to whom it was issued, including:</p> <ul style="list-style-type: none"> RI driver's license RI voter identification card U.S. passport Identification card issued by a U.S. educational institution U.S. military identification card Identification card issued by the U.S. government or state of RI Government-issued medical card <p>The following forms of ID will be acceptable until Jan. 1, 2014, when only the photo IDs listed above will be accepted for voting.</p> <p>A valid and current document without a photograph, including:</p> <ul style="list-style-type: none"> Birth certificate Social security card Government-issued medical card 	<p>If the person claiming to be a registered and eligible voter is unable to provide proof of identity as required, the person shall be allowed to vote a provisional ballot pursuant to section 17-19-24.2. The local board shall determine the validity of the provisional ballot pursuant to section 17-19-24.3.</p> <p>Summary of section 17-19-24.3:</p> <p>The local board shall examine each provisional ballot application to determine if the signature matches the signature on the voter's registration. If the signatures match, the provisional ballot shall count. If the signatures do not match, the ballot shall not count and shall be rejected as illegal.</p>
<p>South Carolina §7-13-710</p>	<p>When a person presents himself to vote, he shall produce a valid and current ID.</p>	<ul style="list-style-type: none"> South Carolina driver's license Photo ID card issued by the SC Dept. of Motor Vehicles Passport Military ID bearing a photo issued by the federal government South Carolina voter registration card with a photo <p>Voters who have a reasonable impediment to obtaining photo ID may show a non-photo voter registration card in lieu of photo ID, sign an affidavit attesting to the impediment, and cast a provisional ballot.</p>	<p>From the State Election Commission's web site:</p> <p>If you have a reasonable impediment to obtaining Photo ID, you may vote a provisional ballot after showing your non-photo voter registration card. A reasonable impediment is any valid reason, beyond your control, which created an obstacle to obtaining Photo ID. Some examples include:</p> <ul style="list-style-type: none"> Religious objection to being photographed Disability or illness Work schedule Lack of transportation Lack of birth certificate Family responsibilities Election within short time frame of implementation of Photo ID law (January 1, 2013) Any other obstacle you find reasonable <p>To vote under the reasonable impediment exception:</p> <ol style="list-style-type: none"> 1. Present your current, non-photo registration card at the polling place

			<p>2. Sign an affidavit stating why you could not obtain a Photo ID</p> <p>3. Cast a provisional ballot that will be counted unless the county election commission has reason to believe your affidavit is false.</p> <p>If you do NOT have Photo ID and do NOT have a reasonable impediment to obtaining one, or you simply forgot to bring it with you to the polls, you may still vote a provisional ballot. However, for your vote to be counted, you must provide one of the Photo IDs to the county election commission prior to certification of the election (usually Thursday or Friday after the election).</p>
<p><u>South Dakota</u> §12-18-6.1 and 6.2</p>	<p>When a voter is requesting a ballot, the voter shall present a valid form of personal identification.</p>	<ul style="list-style-type: none"> • South Dakota driver's license or nondriver identification card • U.S. passport • Photo ID issued by an agency of the U.S. government • Tribal ID card, including a photo • Student ID card, including a photo, issued by an accredited South Dakota school 	<p>If a voter is not able to present a form of personal identification as required, the voter may complete an affidavit in lieu of the personal identification. The affidavit shall require the voter to provide his or her name and address. The voter shall sign the affidavit under penalty of perjury.</p>
<p><u>Tennessee</u> §2-7-112</p>	<p>Each voter shall present to the precinct registrar one form of identification that bears the name and photograph of the voter.</p>	<ul style="list-style-type: none"> • TN driver's license • Valid photo ID card issued by any state • Valid photo ID license issued by TN Dept. of Safety • Valid U.S. passport • Valid U.S. military ID with photo 	<p>If a voter is unable to present the proper evidence of identification, then the voter will be entitled to vote by provisional ballot in the manner detailed in the bill. The provisional ballot will only be counted if the voter provides the proper evidence of identification to the administrator of elections or the administrator's designee by the close of business on the second business day after the election.</p>
<p><u>Texas</u> Election Code §63.001 et seq. <i>NOTE: TX's new photo ID law takes effect after preclearance by the USDOJ. Preclearance was denied on March 13, 2012, and the state is expected to apply for reconsideration from the Federal District Court of Washington, D.C.</i></p>	<p>Existing law: On offering to vote, a voter must present the voter's voter registration certificate to an election officer at the polling place.</p> <p>New law: On offering to vote, a voter must present to an election officer at the polling place one form of identification.</p>	<p>Existing law: Voter registration certificate</p> <ul style="list-style-type: none"> • Driver's license • Department of Public Safety ID card • A form of ID containing the person's photo that establishes the person's identity • A birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity • U.S. citizenship papers • A U.S. passport • Official mail addressed to the person, by name, from a governmental entity • A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the person's name and address • Any other form of ID prescribed by the secretary of state <p>New law: • Driver's license • Election identification certificate</p>	<p>Existing law: A voter who does not present a voter registration certificate when offering to vote, but whose name is on the list of registered voters for the precinct in which the voter is offering to vote, shall be accepted for voting if the voter executes an affidavit stating that the voter does not have the voter's voter registration certificate in the voter's possession and the voter presents other proof of identification. A voter who does not present a voter registration certificate and cannot present other identification may vote a provisional ballot. A voter who does not present a voter registration certificate and whose name is not on the list of registered voters may vote a provisional ballot.</p> <p>New law: A voter who fails to present the required identification may cast a provisional ballot. The voter must present, not later than the sixth day after the date of the election, the required form of</p>

		<ul style="list-style-type: none"> Dept. of Public Safety personal ID card U.S. military ID U.S. citizenship certificate U.S. passport License to carry a concealed handgun issued by the Dept. of Public Safety <p>All of the above must include a photo of the voter. With the exception of the certificate of citizenship, these forms of ID cannot be expired, or cannot have expired more than 60 days before the election.</p>	<p>identification to the voter registrar for examination OR the voter may execute, in the presence of the voter registrar, an affidavit under penalty of perjury stating that the voter has a religious objection to being photographed or that the voter does not have identification as a result of a natural disaster declared by the president or the governor which occurred not earlier than 45 days before the date the ballot was cast.</p>
<p>Utah §20A-1-102(76), 20A-3-104</p>	<p>A voter shall present valid voter identification to one of the poll workers.</p>	<ul style="list-style-type: none"> Current valid UT driver's license Current valid identification card issued by the state or federal government UT concealed weapon permit U.S. passport Current valid U.S. military ID card Bureau of Indian Affairs card Tribal treaty card Tribal ID card <p>OR</p> <ul style="list-style-type: none"> Two forms of ID that bear the name of the voter and provide evidence that the voter resides in the precinct 	<p>The voter may cast a provisional ballot as provided by §20A-3-105.5</p> <p>§20A-4-107 states that a county clerk may verify the identity and residence of a voter who fails to provide valid voter identification "through some other means."</p>
<p>Virginia §24.2-643(B)</p>	<p>The officer shall ask the voter to present any one of the specified forms of identification.</p>	<ul style="list-style-type: none"> Virginia voter registration card Social Security card Valid Virginia driver's license Any other identification card issued by a government agency of the Commonwealth, one of its political subdivisions, or the United States Employee identification card containing a photograph Any valid student ID card issued by any institution of higher education located in Virginia Copy of a current utility bill, bank statement, government check or paycheck that shows the name and address of the voter Concealed handgun permit 	<p>Any voter who does not show one of the forms of identification specified in this subsection shall be offered a provisional ballot marked ID-ONLY that requires no follow-up action by the registrar or electoral board other than matching submitted identification documents from the voter for the electoral board to make a determination on whether to count the ballot. In order to have his or her ballot counted, the voter must submit a copy of one of the forms of identification to the electoral board by facsimile, electronic mail, in-person submission, or timely United States Postal Service or commercial mail delivery, to be received by the electoral board no later than noon on the third day after the election.</p>
<p>Washington §29A.44.205</p>	<p>Any person desiring to vote at any primary or election is required to provide identification to the election officer before signing the poll book.</p>	<ul style="list-style-type: none"> Valid photo identification, such as a driver's license or state identification card, student identification card, or tribal identification card A voter identification issued by a county elections officer, or A copy of a current utility bill, bank statement, paycheck, or government check or other government document 	<p>Any individual who desires to vote in person but cannot provide identification as required by this section shall be issued a provisional ballot. The provisional ballot will be counted if the signature on the ballot declaration matches the signature in the voter's registration record.</p>
<p>Wisconsin §5.02(6m) and 6.79 (2)(a)</p> <p>NOTE: Wisconsin's voter ID law was held unconstitutional on March 12, 2012 by a state judge. It is not currently in effect.</p> <p>NOTE: Wisconsin's voter ID law was held unconstitutional on March 12, 2012 by a state judge. It is not currently in effect.</p>	<p>Each elector shall be required to present identification.</p>	<p>NOTE: Wisconsin's voter ID law was held unconstitutional on March 12, 2012 by a state judge. It is not currently in effect.</p> <ul style="list-style-type: none"> Wisconsin driver's license ID card issued by a U.S. uniformed service 	<p>NOTE: Wisconsin's voter ID law was held unconstitutional on March 12, 2012 by a state judge. It is not currently in effect.</p> <p>An elector who appears to vote at a polling place and does not have statutory ID shall be offered the</p>

<p>by a state judge. It is not currently in effect.</p>	<ul style="list-style-type: none"> · Wisconsin non-driver ID · U.S. Passport · Certificate of naturalization issued not more than 2 years before the election · ID card issued by a federally recognized Indian tribe in WI · Student ID card with a signature, an issue date, and an expiration date no later than 2 years after the election <p>All of the above must include a photo and a name that conforms to the poll list.</p> <p>If the ID presented is not proof of residence, the elector shall also present proof of residence.</p>	<p>opportunity to vote a provisional ballot.</p> <p>An elector who votes a provisional ballot may furnish statutory ID to the election inspectors before the polls close or to the municipal clerk no later than 4pm on the Friday following Election Day.</p>
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For More Information

For more information on the issue of voter identification, [contact NCSL's elections staff](#).

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Additional Documents

for

HB 3

2nd Hearing - HSTA Committee Meeting 3-14-2013

- Division of Elections Letter 2/25/2013 Response to Rep. Isaacson Questions
- Division of Elections Letter to Sen. Begich disputing they make it more difficult to vote
- Opposing Letter – Disability Law Center of Alaska and Bob’s response to it
- Opposing Letter - ACLU
- Opposing Letter – Natalie Landreth – Native American Rights Fund
- Opposing Letter – Alaska Federation of Natives
- Opposing Letter – City of Dillingham
- Opposing email – League of Women Voters of Alaska
- PFD Sheeting showing ALL Alaskans must provide a Birth Certificate or Passport or Naturalization Certificate to qualify for a PFD
- EXAMPLE: Easy Question Ballot, Oath & Affidavit
- EXAMPLES (5): Applications for Tribal Enrollment requiring Birth Certificates
- EXAMPLE OF VOTER FRAUD: ARTICLE New York Voter Fraud Case
- EXAMPLE OF VOTER FRAUD: ARTICLE Ohio Poll Worker Target of Investigation
- ID required to obtain Public Assistance

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STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

February 25, 2013

The Honorable Bob Lynn, Chair
House State Affairs Committee
State Capitol, Room 108
Juneau AK 99801

Dear Representative Lynn:

During yesterday's hearing on House Bill 3, Representative Isaacson asked questions about voting age population, statewide voter registration number and the state's list maintenance process. I indicated I would research the answer to his question and provide a response following the hearing.

According to information from the Department of Labor, Research and Analysis Section, the voting age population for Alaska is 522,853. This number is based on information from the 2010 Census. The current number of registered voters in Alaska is 513,990.

The division performs a list maintenance process annually. Following the passage of the National Voter Registration Act (NVRA), voters could no longer be removed from the registration rolls for simply not voting. The list maintenance procedures are provided for in AS 15.07.130.

The current process, as outlined by the NVRA, works as follows:

1. The list of registered voters is reviewed and a nonforwardable notice is sent to voters
 - a. Whose mail from the division has been returned in the two years immediately preceding
 - b. Who have not contacted the division in the two years immediately preceding
 - c. Who have not voted or appeared to vote in the two general elections immediately preceding
2. If the notice sent in (1) above is returned undeliverable and that voter has not contacted the division and not voted or appeared to vote during the last four calendar years, another notice is sent by forwardable mail. This notice notifies the voter that their

The Honorable Bob Lynn

February 25, 2013

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registration will be inactivated unless they respond to the notice no later than 45 days after it was mailed.

3. Inactive voters are then cancelled after the second general election that occurs after the registration became inactive if the voter does not contact the division or vote or appear to vote.

If there are any further questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gail Fenumiai".

Gail Fenumiai
Director

cc: The Honorable Lynn Gattis
The Honorable Shelley Hughes
The Honorable Doug Isaacson
The Honorable Wes Keller
The Honorable Charisse Millett
The Honorable Jonathan Kreiss-Tomkins

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STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

March 6, 2013

The Honorable Mark Begich
United States Senator
111 Russell Senate Office Building
Washington, DC 20510

Dear Senator Begich:

On behalf of the agency directly responsible for administering elections in Alaska, I am responding to your statements to the Alaska Legislature in a joint session and at the CCTHITA Native issues forum in Juneau on March 4.

I strongly dispute your assertions that the division makes it more difficult to vote here or that the state has imposed any obstacles to voting. I also dispute your characterization of Section 5 of the VRA.

There are two major misconceptions in your comments that bear correcting. The first is the nature and extent of the state's language assistance program and the second is the effect of Section 5 of the VRA on that program specifically, and on Alaska in general.

First, the state has a robust language assistance program mandated by sections 203 and 4(f)(4)—not Section 5—of the VRA. The state relies on those provisions, census information, surveys, and contacts with tribal offices to determine specific locations where language assistance is needed. Based on these criteria, the Division of Elections currently provides for language assistance to limited English proficient voters through the use of translated election materials, radio announcements, and ballot information in Yup'ik, Siberian Yupik, Inupiaq, Tagalog, Koyukon Athabascan, and Spanish. The division also provides for bilingual outreach workers and bilingual poll workers to assist voters prior to and on Election Day in these languages as well as other Alaska Native language dialects such as Gwich'in.

As noted on the division's website, the state provides written translated election materials for languages that are historically written and oral language assistance for languages that are historically unwritten, such as Alaska Native languages. For this latter category of languages, the state produces a written Yup'ik sample ballot and also produces an audio translation of the ballot in Inupiaq, Koyukon Athabascan, Siberian Yupik, and Yup'ik. The state has never printed translated ballots in historically unwritten Alaska Native languages, and has never been required to do so. Therefore, your statement that the state has "attempted to stop printing" such ballots is misinformed.

In addition to on-call translators available on Election Day, the state provides oral language assistance through the use of bilingual outreach workers, bilingual poll workers, and translators in communities where there is a need. The state also produces audio translations of election information and translated radio and TV announcements.

The Honorable Mark Begich

March 6, 2013

Page 2 of 2

During the 2012 election cycle, all ballots and ballot measures were translated into the above-noted languages, either orally or in writing. In fact, the state included an audio translation of the ballot in the above-noted languages on the touch screen voting equipment used in the precincts where the languages are spoken and added the audio interpretation of the ballot measure language for the Alaska Native languages to the division's website. Further information on the state's language assistance program can be found at <http://www.elections.alaska.gov/la.php>.

Second, your statements misconstrue both the application of Section 5 of the VRA to language assistance in particular and the state's general position against Section 5 in pending litigation.

Section 5 does not contain any substantive requirements about language assistance; the state's language assistance program is mandated by entirely different sections of the VRA that are not being challenged in any forum. Section 5 therefore has no bearing on the state's language assistance program beyond imposing an additional layer of procedural bureaucracy on the state's administration of that program. In the division's view, the only role Section 5 plays in Alaska is to subject any elections-related change, big or small, to the scrutiny of non-Alaskan attorneys and analysts in Washington, DC before the state may enact or administer such changes. The State is not in any way attempting to decrease the assistance we provide to Alaskan voters who require language assistance; the state seeks only to be able to administer, implement, and improve our state's voting laws without unwarranted interference from the federal government. The Alaska Division of Elections knows more about Alaskan voters, Alaska Native languages, and local Alaska conditions than federal government officials do. Restoring local control of our elections will allow for flexible, efficient administration of the voting laws. This will benefit, not disserve, all Alaskan voters.

Alaska's interest in the current voting rights litigation does not reflect any lack of commitment to ensuring that Alaska Natives have the same access to the ballot and ability to elect representatives of their choice. Again, the substantive provisions of the VRA that govern language assistance and discrimination in voting are not being challenged. Alaska remains committed to providing language assistance to all voters who need it, so that all Alaskans can exercise their right to vote.

Finally, I want to be clear that the state has never sponsored legislation requiring photo identification at the polls, and the division has never turned away a voter for lack of such identification. If a voter must vote a questioned ballot because the voter lacks the identification required under existing law, the elections board determines from information provided by the voter on the questioned ballot envelope whether that voter's ballot may be counted.

I hope you will take the time to publicly correct your statements.

Sincerely,



Gail Fenumiai
Director, Division of Elections

cc: 2013 Alaska State Legislature



March 1, 2013

The Honorable Bob Lynn
Alaska State House of Representatives
State Capitol, Room 106
Juneau, AK 99801

Via Email

Re: HB 3: Voter Photographic Identification at the Polls

Dear Representative Lynn:

Thank you for the invitation to provide you with information regarding the potential impact of HB 3 on Alaskans with disabilities. To the best of my knowledge, there are no Alaska-specific studies on this subject. However there are a few national studies that have tried to assess the impact of voter identification laws on various sub-groups of the voting population.

A study conducted by the Brennan Center for Justice at New York University School of Law revealed that as many as 11% of eligible voters do not have government issued photo identification. Among certain sub-groups, such as the elderly and individuals with disabilities, that number increases to approximately 18%.

According to the 2011 American Community Survey, there are approximately 68,000 Alaskans with disabilities who are 18 years-of-age or older. Assuming that 11% of these Alaskans do not have access to a government-issued photo identification, approximately 7,500 Alaskans with disabilities may have difficulty voting at their polling station. Using the higher percentage for this sub-group, approximately 12,000 Alaskans with disabilities would be impacted.

HB 3 does establish a 'bypass' process that would allow voters without a photo ID to vote. In lieu of a photo ID, a voter could present two forms of personal identification that do not contain a photograph, such as a certified copy of a birth certificate or a marriage certificate. However, according to the Alaska Bureau of Vital Statistic's website, in order to obtain a copy of a birth or marriage certificate, the individual must present a "government-issued picture ID." It is likely that a photo ID is necessary to obtain copies of the other personal identification documents listed in HB 3. Therefore, Alaskans with disabilities who do not have an appropriate photographic ID can neither vote under HB 3, nor can they obtain the documentation necessary to bypass the photo ID requirement. For Alaskans with disabilities, HB 3 may create an insurmountable barrier to voting.

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NATIONAL
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RIGHTS
NETWORK

Additionally, the cost for obtaining a certified copy of a birth or marriage certificate is \$30. Therefore, Alaskans with disabilities, of whom approximately 37% live near or below the federal poverty level, would have to pay \$60 in order to vote. For an individual who resides in an assisted living facility and is allowed only a \$200 a-month personal spending allowance, paying for the certificates could present another insurmountable barrier to voting.

With respect to the impact HB 3 would have on the State of Alaska, I note with interest that the Division of Elections has submitted a \$0 fiscal note with respect to HB 3. The belief that imposing a voter ID law would not cost the State anything should be revisited in light of court decisions that have reviewed similar voter photo identification laws. Briefly, the courts have established the following principles states must adhere to when implementing a voter photo identification requirement:

- Photograph IDs must be available free of charge for all who do not have them;
- Photograph IDs must be readily accessible to all voters without undue burden; and,
- States must conduct substantial voter outreach and public education efforts.

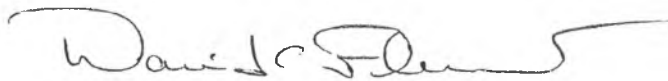
By way of example, there are approximately 500,000 Alaskans of voting age. Using data from the Brennan Justice Center study, if 11% of this population lacks a photographic ID, the state would be responsible for providing the approximately 55,000 individuals with free ID cards. The current fee for a state ID is \$15.00. Therefore, providing free IDs to those Alaskans without one could cost the state \$825,000.00.

Let me recommend a review of two studies with regard to the cost of implementing voter photo ID laws. The first was published by the Brennan Center for Justice and is entitled *The Cost of Voter ID Laws: What the Courts Say*. The second was published by the Hubert H. Humphrey School of Public Affairs at the University of Minnesota and is entitled *Voter Identification; The True Costs – An Analysis of Minnesota's Voter Identification Amendment*. I would be happy to provide you or your staff with electronic copies of these reports upon request.

Again, thank you for inviting the Disability Law Center to provide you with information on the potential impact HB 3 may have on Alaskans with disabilities.

Sincerely,

DISABILITY LAW CENTER OF ALASKA



David C. Fleurant
Executive Director



February 20, 2013

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The Honorable Bob Lynn, Chair
The Honorable Wes Keller, Vice-Chair
House State Affairs Committee
Alaska State House of Representatives
State Capitol
Juneau, AK 99801

via email: Rep.Bob.Lynn@akleg.gov
Rep.Wes.Keller@akleg.gov

Re: House Bill 3 – Relating to Voter Photo ID Requirements
ACLU Review of Constitutional Infirmities

Chair Lynn, Vice-Chair Keller:

Thank you for the opportunity to submit written testimony regarding House Bill 3, Relating to Voter Photo ID Requirements.

The American Civil Liberties Union of Alaska represents thousands of members and activists throughout the State of Alaska who seek to preserve and expand individual freedoms and civil liberties guaranteed under the United States and Alaska Constitutions. In that regard, we appreciate the opportunity to provide the Committee with information highlighting significant constitutional infirmities with the proposed Legislation.

Given the fundamental nature of the right to vote, we hope that the Committee will give thorough consideration to the issues set forth below. In that regard, we would be happy to work with you or the Committee to answer any questions you might have.

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**The State of Alaska Should Not Impair the Right to Vote,
a Fundamental Right and the Bedrock of Democracy**

The primary authority for government in a democratic society is the election of representatives by the people. Citizens have a fundamental right to vote for the candidates and propositions they choose. Alaska Const., Art. I, Sec. 5; Alaska Const., Art. V, Sec. 1. Laws and regulations relating to the operation of elections and polling places must generally contain “reasonable, nondiscriminatory restrictions” on how, when, and where a voter may cast her ballot. *O’Callaghan v. State*, 914 P.2d 1250, 1254 (Alaska 1996). Unfortunately, **HB 3 does not meet this very basic standard, especially in the unique circumstances here in Alaska.**

HB 3 would repeal the existing voter identification statute, which allows a qualified voter at the polls to appear and present voter identification that **includes an Alaska driver’s license, a passport, a voter identification card, another state identification card, or any document (such as a utility bill) which shows the name and address of the voter.** AS 15.15.225.

HB 3 would replace these provisions with a requirement that an individual produce one piece of photo identification (such as a driver’s license) or two pieces of non-photo identification. HB 3 would also replace the existing exception allowing a person to vote if she is personally recognized by a poll worker, limiting that exception only to cases where *two* poll workers recognize the individual.

Photo ID bills have been controversial throughout the country. Voters who are poor or members of an ethnic minority are among those most likely to lack an appropriate photo ID. This holds true in Alaska as well as other places. Further, many people living in rural areas are least likely to have or need photo ID and have the least access to state agencies and bureaucracy; they are the ones most likely to find HB 3’s new requirements most burdensome. Some members of those communities, especially elders, may simply lack certain identity documents; some may have grown up at times and in places where the issuance of birth certificates was uncommon.

Beyond these traditional arguments, the ACLU of Alaska would highlight the fact that the State of Alaska does not make photo identification available to a large number of rural Alaskans. The Division of Motor Vehicles refuses to provide photo ID services to people who live in small communities. Instead, those citizens may receive identification cards with no photograph, where the words “valid without photo” appear on the license.¹ The ACLU of Alaska does not argue that the State must open a DMV branch in every village, but **the State’s own failure to provide equal services should bar imposing an unequal burden on those same under-served voters.**

¹ See Alaska Division of Motor Vehicles, Form 480: Application for Rural Area Driver License, Permit, or ID Card, at <http://doa.alaska.gov/dmv/forms/pdfs/480form.pdf>; Alaska Division of Motor Vehicle, Guide to Rural Driving Information, at <http://www.doa.alaska.gov/dmv/akol/rural.htm#vwop>.

The State cannot allow a voter in Anchorage to appear at the polling place with only her driver's license, while barring a voter in Gambell who shows up with his driver's license, which through state policy will lack a photo. As stated above, **voting laws must be "nondiscriminatory" to meet basic constitutional review.** Since the State refuses to provide photo identification to a large minority of Alaskans, **a selective preference for photo identification is not a neutral or nondiscriminatory basis for election law.**

"[A] citizen has a constitutionally protected right to participate in elections *on an equal basis with other citizens in the jurisdiction.*" *Dunn v. Blumstein*, 405 U.S. 330, 336 (1972) (emphasis added). If the State will not provide driver's licenses with photographs on an equal basis around the state, a photo ID preference is not a neutral one. A statute like HB 3 which erects procedural hurdles in the way of some voters and not others will be heavily scrutinized by the courts.

Courts Will Particularly Scrutinize the Legitimacy of a Statute Which Will Disproportionately Bar Alaska Natives from the Ballot Box

Anyone familiar with rural, off-the-road-system villages described above will know that **those unable to get photo identification locally will overwhelmingly be Alaska Natives.** That the discriminatory preference for photo identification imposes a heavier burden on a particular racial group **will surely gain the attention of courts, and of the federal Department of Justice, in their review of the constitutionality of HB 3,** should it pass.

Although the State and other jurisdictions are engaged in ongoing litigation about the Voting Rights Act, **Alaska remains under federal supervision as one of a small number of states with a long-standing, demonstrated history of racial discrimination at polling places, in Alaska's case against Alaska Natives.** Along with several states in the Jim Crow south, Alaska maintained a literacy test for voters for years. Even after its literacy test was repealed, Alaska provided little or no language support for Alaska Native voters in many of the same small villages likely to be affected by HB 3. Litigation settled as recently as 2010 resulted in a settlement with the State, substantially reforming its treatment of Alaska Native voters in the Bethel Census Area.

In jurisdictions covered by Section Five of the Voting Rights Act (VRA), including the whole State of Alaska, changes in voting laws require pre-clearance by the United States Department of Justice. In order to obtain pre-clearance, new laws must not cause "retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise." *Beer v. United States*, 425 U.S. 130, 141 (1976). The U.S. Department of Justice has recently refused to pre-clear a Texas voter ID law. *Texas v. Holder*, 12-CV-128, 2012 WL 3743676 (D.D.C. Aug. 30, 2012) (three-judge panel) (upholding refusal to pre-clear Texas law).

The Texas law failed review from the court and the Department of Justice for many reasons which attach with even more strength in the case of HB 3. The original Texas law required voters

to get a “certificate” from the local county registrar and present it at the polling place (essentially like the Alaska voter ID cards issued on registration); voters who did not have their certificate at the polling place could provide alternate ID, including expired driver’s licenses and utility bills. *Id.* at *1.

The challenged Texas law would have replaced that law with a strict requirement: voters must present a state driver’s license, a concealed carry permit, a passport, a national citizenship certificate, or a U.S. military ID. *Id.* Voters would be allowed to get a non-driver’s ID if they lacked any of those five forms of identification, by appearing at a Texas state office. *Id.* ***In the Texas case, the court found it dispositive that, in 81 Texas counties, obtaining free photo identification would require substantial travel out of the county and burden the voter.*** *Id.* at *13 (emphasis added); see also *South Carolina v. United States*, CIV.A. 12-203 BMK, 2012 WL 4814094, at *2 (D.D.C. Oct. 10, 2012) (noting with approval that photo IDs were available at centers in every county in South Carolina); *id.* at *5 (noting that voters without cars could excuse their lack of photo identification on that basis).

If merely driving out of the county could void the Texas law, the questions presented by the burden imposed on voters in Alaska – predominantly racial minorities – who must *fly* out of their home communities to reach a DMV office would present a comparatively easy question for a court.

HB 3 Makes No Provision for a Free Identification Card and Has the Effect of a Prohibited Poll Tax

The State may not impose a tax on the right to vote, even if the cost is minimal. “To introduce wealth or payment of a fee as a measure of a voter’s qualifications is to introduce a capricious or irrelevant factor. The degree of the discrimination is irrelevant.” *Harper v. Virginia State Bd. of Elections*, 383 U.S. 663, 668 (1966) (striking down as unconstitutional a \$1.50 poll tax). While a photo ID law was upheld in Indiana, the Indiana voter ID law specifically provided for *free* voter identification cards. *Crawford v. Marion County Election Bd.*, 553 U.S. 181, 198 (2008). **HB 3 thus differs in *three* important ways from the Indiana photo identification law: it would be enacted in a state covered by the VRA; it would take effect in a state that denies photo ID to a substantial minority of its population; and it contains no provision for *free* photo IDs.**

All of the documentation described as proper voter identification would cost money to someone who lacks a copy thereof. For instance, a driver’s license costs \$20 in Alaska, and a non-driver ID costs \$15.² A first-time adult passport applicant would have to pay \$165.³ The Division of

² Alaska Division of Motor Vehicles, Driver’s License and Reinstatement Fees, at <http://doa.alaska.gov/dmv/akol/fees.htm>.

³ U.S. Dep’t of State, Passport Fees, at http://travel.state.gov/passport/fees/fees_837.html.

Vital Statistics charges \$30 for a certified copy of a birth certificate.⁴ A certified copy of an adoption order, marriage certificate, or name change order – assuming that a voter had ever been married, adopted, or changed her name – would cost \$5 each.⁵

Other identification is similarly available only to certain segments of the population, and whether the documents cost money may vary: tribal ID, student ID, government employee ID, or military ID. Only the state voter ID card is free, but it does not meet the requirements of section (a), since it does not include a photograph. HB 3 would put the Division of Elections in the absurd position where it could not accept its own identification card as adequate to establish a voter's identification.

Moreover, even though comparable proposals have allowed *expired* identification to be used, **HB 3 inexplicably limits the permitted identification to currently valid licenses, passports, and other identification, in a way unrelated to legitimate state interests: after all, even expired identification will tend to show who the person is.** This requirement would be stricter than the acceptance of expired licenses as voter identification in Georgia and Indiana, as well as the overturned Texas scheme. *See Texas v. Holder*, 2012 WL 3743676, at *15 (criticizing as stricter than other identification schemes, which allowed expired licenses to be used, a Texas law which only allowed licenses that had expired within 60 days of the election to be used). The identification is being used to verify that the voter is who she says she is, not to ensure that she can drive legally.

The State cannot constitutionally charge a tax for the purpose of being a registered voter. And the State cannot bring through the back door what it cannot carry in the front door: a voter ID requirement that effectively requires voters to pay money to the state to cast a vote violates the constitution. The right to vote is and should remain free to everyone.

HB 3 Unreasonably Restricts the Most Reliable Means of Identification: Personal Knowledge

In light of our history as a state of many small and intimate communities, Alaska has long allowed poll workers who recognize a voter by sight to waive the identification requirement. In a village of a few hundred people, everyone knows everyone. Demanding identification from someone you have known for decades is an exercise in silly bureaucracy.

HB 3 would require that *two* different poll workers sign off on confirmations of identity. This requirement is not calculated to deter fraud. In a polling place where one poll worker honestly

⁴ Alaska Division of Vital Statistics, Birth Certificates, at <http://dhss.alaska.gov/dph/VitalStats/Pages/birth/default.aspx>.

⁵ Alaska Court System, Records, at <http://courts.alaska.gov/trialets.htm#recs>.

recognizes a voter and one poll worker does not recognize the voter, the single poll worker's confirmation of the identity of the voter should be more than adequate. The best argument for requiring *two* poll workers to confirm the voter's identity would be to deter collusion between a fraudulent voter and a fraudulent poll worker, by requiring a second poll worker to intervene. However, in this unlikely scenario – **never documented in Alaska** - where a poll worker and a voter collude to commit voter fraud, the pair could simply choose another avenue for fraud; colluding to use a false identity card. Ultimately, the problem in the scenario above is not the law, but the hiring of a poll worker willing to commit fraud.

At the same time that HB 3 makes it *more difficult* to prove one's identity by documentation, HB 3 simultaneously makes it more difficult to prove one's identity by personal recognition; the two provisions, working in tandem, will tend to disenfranchise poor and rural voters under circumstances where the voter's identity is not in serious question. For instance, a person coming to the polling place who is personally recognized by one poll worker and who is carrying his voter ID will be unable to vote, since she meets neither of the criteria outlined by HB 3.

Since personal recognition will be of special importance in small villages, the expansion of identification requirements and the contraction of the opportunity to waive the identification requirement will both have their most onerous consequences in small villages and in the Alaska Native community in particular.

HB 3 Does Not Represent a Proportionate Response to In-Person Electoral Fraud, Which Is Virtually Non-Existent in Alaska

The alleged purpose of the Bill is to prevent voter fraud, and to ensure that individuals who appear at the polls are the registered voters they claim to be. **However, the Alaska Division of Elections acknowledges that the problem of voter fraud is essentially non-existent in Alaska.** Ms. Fenumiai, the head of the Division stated that she was aware of only a single instance of voter fraud in which a person voted while falsely claiming to be another person.⁶ In that case, the individual was engaged in a much larger identity theft scheme, had obtained a passport and other identification, and was working as an Anchorage police officer. Since he already possessed false identity documents, there is no reason to believe that HB 3 would have barred him from voting, even if it had been the law at the time.

The existing evidence tends to show that Alaska's current voter identification law adequately prevents voter fraud, and that HB 3 would not deter voter fraud at all. **In light of the discriminatory effects of the Bill, courts would likely strongly question whether the Bill responded to a real or imaginary threat.**

⁶ See Letter from Gail Fenumiai to Vicki Otte, January 17, 2013 [attached hereto as an exhibit].

HB 3 also shows little sign of being narrowly tailored to defeating fraud, instead containing many provisions that restrict access to the ballot box in ways unrelated to fraud prevention. As stated above, prohibiting the use of expired or otherwise invalid licenses does not meaningfully relate to preventing fraud.

Certainly, existing law arguably leaves potential avenues by which a determined person could *theoretically* accomplish voter fraud. Any teenager can also tell you that fake driver's licenses can be gotten without too much difficulty. Rafael Espinoza, the Anchorage police officer highlighted above, could also tell this Committee that a real driver's license and passport can be gotten fraudulently.

The State's efforts to ensure the legitimacy of the voting process cannot be gauged to eliminate every possible avenue of fraud. The State cannot make it harder to vote than to land a job as a law enforcement officer. State policy should instead reflect a careful balance of ensuring that legitimately registered voters can vote and that voter fraud is deterred. Since the State had no evidence that the prior protections were ineffective, the Legislature should decline to erect new, unneeded restrictions that will disenfranchise voters throughout the state, especially Alaska Native voters.

Conclusion

We hope that the State Affairs Committee will note the multiple constitutional infirmities with the proposed language in HB 3, and take note of the negative policy implications therein.

While the ACLU of Alaska **does not contest the State's ability and duty to ensure the security of the polls**, as drafted, **HB 3 goes far outside this permissible sphere, and would systemically bar legitimate voters from the ballot box.** The State cannot change its policy from allowing voters to use free identification to imposing a fee on voter registration in the guise of new identification requirements. It cannot impose with one hand a photo ID preference at the ballot box, while depriving voters of access to that photo ID with the other.

It cannot hope that a stricter voter ID law will pass Department of Justice review where more forgiving laws have failed. It cannot base its complete overhaul of photo ID laws based on vague allegations or theoretical fears unsupported by evidence. Voting laws require more respect for individual voting rights.

The issues raised above present substantial Constitutional problems and would entangle the State in lengthy, costly, and needless litigation, should HB 3 pass as currently written.

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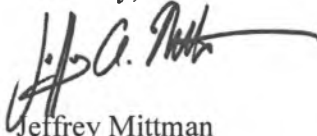
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House State Affairs Committee
Constitutional Analysis of H.B. 3
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Page 8

Please feel free to contact the undersigned should you require any additional information. Again, we are happy to reply to any questions that may arise either through written or verbal testimony, or to answer informally any questions which Members of the Committee may have.

Thank you again for the opportunity to share our concerns.

Sincerely,



Jeffrey Mittman
Executive Director
ACLU of Alaska

cc: Representative Lynn Gattis, Rep.Lynn.Gattis@akleg.gov
Representative Shelley Hughes, Rep.Shelley.Hughes@akleg.gov
Representative Doug Isaacson, Rep.Doug.Isaacson@akleg.gov
Representative Charisse Millett, Rep.Charisse.Millett@akleg.gov
Representative Jonathan Kreiss-Tomkins, Rep.Jonathan.Kreiss-Tomkins@akleg.gov

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February 20, 2013

The Honorable Bob Lynn
House State Affairs Committee
State Capitol
Juneau, AK 99801

Representative Lynn and Committee Members:

My name is Natalie Landreth and I am a Senior Staff Attorney and Corporate Officer at the Native American Rights Fund. Founded in 1970, the Native American Rights Fund (NARF) is the oldest and largest nonprofit law firm dedicated to asserting and defending the rights of Alaska Native and Indian tribes, organizations and individuals nationwide. NARF has been in Alaska since 1984, and I have personally been practicing law here for 10 years. It is on behalf of the many Alaska Native and American Indian clients I have represented over the years in election cases (including one going on right now), that I write to oppose HB 3.

This bill is first and foremost a solution in search of a problem. There is no documented voter fraud in Alaska (save for the one identity theft issue already discussed). The voter identification system is working just fine as it is. HB 3 is therefore totally unnecessary.

NARF has reviewed the testimony of the ACLU and agrees with it. This bill is inherently discriminatory and will have a disparate impact on the poor, the elderly and Alaska Natives in particular. There are already numerous barriers to voting in rural Alaska and this bill would surely disenfranchise even more. I detail only some of the problems here.

The first problem is that in rural Alaska the most common form of identification at the polls is simply recognition. Everyone in a village knows everyone else and thus pollworkers pretty much never ask for identification. I have checked with all of my clients in voting cases and this is the longstanding practice. HB 3 would prevent them from doing this and require *two* pollworkers to identify the person and sign beside their name on the register. I have reviewed some pollworker timesheets for numerous village precincts in the Bethel Census Area and it is not uncommon for there to be just *one* pollworker at the precinct at a given time. In such situations, it would be impossible for a voter to meet this requirement for reasons totally beyond their control.

Second, the personal recognition, or "waiver" as it is called in the bill, does not apply if a person is not on the official register for the precinct. This creates a significant problem because the State conducts voter purges approximately every two years during which voters can be removed from the register simply for failing to return a postcard in time. This is a particularly acute problem for the many Yup'ik speaking people in the Y-K Delta who may discard that piece of mail because they do

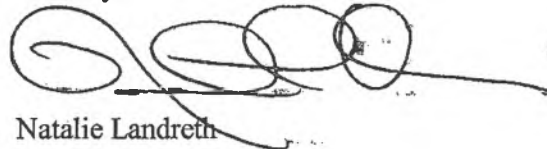
not understand it must be returned. It is again not uncommon for people who have voted for years to go vote and find that they are no longer on the register, either through human error or by virtue of having been purged. Those people would not be allowed to vote even with personal recognition.

Third, I do see that HB 3 allows for tribal IDs but in my 10 years of practice in the state I have never once seen an Alaska tribal ID with a photograph on it. I did some investigation in preparation for this testimony and I did discover about 12 tribes in the Interior and Y-K Delta regions that have "hardcard systems" that have photographs but I have not personally seen them. The vast majority of tribal IDs will not have photographs on them, and I am aware of no requirement that they have photographs. It is more common for tribal IDs in the Lower 48 to have photographs but not so in Alaska.

Finally, the bill is not saved by the fact that it allows for two forms of identification that do not require a photograph. With the exception of the tribal ID and possibly the license in (2)(D), Alaska Natives – especially ones over the age of 50 or so – will not have the other forms. For example, many older Alaska Natives were born at home and do not have official or certified birth certificates. They also will not have naturalization papers and those who were married in a church may not have a court marriage record. These may be more common today but those over a certain age simply did not live that way. This further highlights why the burden of HB 3 falls on older Alaskans and Alaska Natives in particular.

It is for these reasons and those detailed in the ACLU letter that we strongly oppose this bill.

Thank you

A handwritten signature in black ink, appearing to read "Natalie Landreth". The signature is stylized with large loops and a long horizontal stroke extending to the right.

Natalie Landreth



ALASKA FEDERATION
OF NATIVES

February 11th, 2013

Representative Bob Lynn
Chairman of the House State Affairs Committee
State Capitol Room 108
Juneau AK, 99801

RE: Opposing HB 3: PHOTO IDENTIFICATION VOTING REQUIREMENT

Dear Representative Lynn,

On behalf of the Alaska Federation of Natives (AFN), I am writing to express our opposition to HB 3, an Act requiring photo identification at the polls and relating to the counting of absentee and questioned ballots. The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska representing more than 120,000 Alaska Natives residing in Alaska, 12 regional tribal consortiums, 12 regional corporations and over 180 tribes and villages. AFN mission is to enhance and promote the cultural, economic and political voice of the entire Alaska Native community. One of AFN goals is to advocate for Alaska Native people, their governments and organizations, with respect to federal, state and local laws.

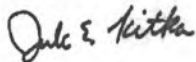
Alaska, like at least 29 other states, already has a voter ID law on the books. The current law requires proof of identification, but allows non-photo IDs to suffice (e.g., voter registration cards, birth certificate, hunting and fishing license or a current utility bill, bank statement, paycheck, government check, or other government document) when the ID exhibits the voter's name and current address. The current law also allows an election official to waive the ID requirement if the worker knows the voter. HB 3, on the other hand, would require a voter at the polls to produce one form of personal identification that contains a photograph or two pieces of personal identification that do not contain a photo. The list of permitted documents is considerably more restrictive than the current law. While personal identification requirements can still be waived, HB 3 would require two officials instead of one to verify that they know the voter, and the voter's name is on the official registration to vote in that precinct.

We strongly believe Alaska's current law makes sense and should not be amended to add a photo ID requirement. Our state has no history of voter fraud and adding a photo ID requirement will put an undue burden on those voters who live in remote parts of the State. In many remote communities in Alaska, which are predominately Alaska Native, residents do not need a driver's license or other forms of photo ID. Obtaining a government-issued photo ID takes time, money, and often requires the individual to travel a great distance since there is no state office in the community that issues government photo IDs. In addition, in urban areas those individuals least likely to have photo IDs tend to be the poor, people of color, women and the elderly. To our knowledge, no one in Alaska has been tried for impersonating another voter, which demonstrates that voter fraud is not a significant problem and that a photo ID law is not necessary. In fact, in the context of Alaska, requiring an individual from a rural community in Alaska to go to the expense of obtaining a photo ID when it is not otherwise needed is unreasonable, and likely unconstitutional.

The State of Alaska already requires one form of ID or a waiver by an election official if the election official knows the identity of the voter. AFN believes that the measures already in place adequately protect against voter fraud and do not disenfranchise Alaska Natives, other minorities, citizens with disabilities and the elderly who cannot easily obtain a government-issued photo ID.

In closing, we strongly oppose HB 3, and urge you to withdraw the bill. Please feel to contact me regarding this matter at any time by contacting AFN at afninfo@nativefederation.org or calling 907-274-3611. Thank you for your consideration.

Sincerely,



Julie Kitka
President

Cc: Senator Donny Olson
Representative Edgmon
Representative Keller
Representative Gattis
Representative Hughes
Representative Millett
Representative Kreiss-Tomkins

March 12, 2013



Honorable Rep. Bob Lynn, Chairman
House State Affairs Committee
Alaska State Legislature
State Capitol
Juneau, Alaska 99801

SUBJECT: House Bill 3

Dear Honorable Rep. Lynn:

The City of Dillingham strongly opposes Housing Bill 3: "An Act relating to voter identification at the polls; and relating to the counting of absentee and questioned ballots."

There has been a recent wave of voter ID laws sweeping the lower 48 states under the guise of protecting the integrity of elections and preventing voter fraud. However, according to the National Urban League, "Voter ID laws have grown at an epidemic rate and have a disproportionately negative impact on minority citizens". Rural residents of our state, many of whom are of Alaska native descent, do not have access to, or the ability to, obtain a photo ID. In most cases in our area, the only places to get photo identification are at hub locations in Dillingham and Naknek/King Salmon.

There has been no evidence that we can find that shows rampant and widespread voter fraud in Alaska that would warrant enacting a law that could potentially, if HB 3 passes, limit access to rural residents having the ability to vote. Adding an unnecessary hurdle to an Alaskan resident, a Native elder comes to mind, whose primary language may not be English, seems to be contrary to the spirit of having as many people involved in our elections process as possible.

Voting is a basic right, years of protest and sacrifice have led to the protection of eligible voters from measures taken to disenfranchise them. We should be making the process as easy as possible for voters, not finding ways to make it more difficult.

The City of Dillingham has faith in the current elections system administered by the State to address any possible voter fraud issues. There is nothing wrong with the current list of ID the Division of Elections requires of people when they go to their polling place, so we see no reason to add unnecessary law for a system that clearly is not broken.

Please let the record reflect the City of Dillingham's strong opposition to HB3 for reasons stated above and we urge you to reconsider making any changes to an election process that works.

Thank you for taking this under consideration.

A handwritten signature in cursive script that reads "Alice A. Ruby".

Sincerely,
Mayor Alice Ruby

Nancy Manly

From: Rep. Bob Lynn
Sent: Monday, March 11, 2013 12:20 PM
To: Forrest Wolfe; Nancy Manly; Bob Lynn (boblynn@alaska.com)
Subject: FW: HB 3 Photo Identification Voting Requirement

From: Linda Witt [<mailto:linda.witt10@gmail.com>]
Sent: Monday, March 11, 2013 12:16 PM
To: Rep. Bob Lynn; Rep. Wes Keller; Rep. Lynn Gattis; Rep. Shelley Hughes; Rep. Doug Isaacson; Rep. Charisse Millett; Rep. Jonathan Kreiss-Tomkins
Subject: HB 3 Photo Identification Voting Requirement

Date: March 11, 2013
To: Members of the HSTA Committee, Alaska State Legislature
From: The League of Women Voters of Alaska
Linda Witt, Pres.
Re: HB3 Photo Identification Voting Requirement

Dear Members of the Committee.

The League of Women Voters of Alaska would like to submit the following statement regarding HB3 for your consideration:

The League of Women Voters Alaska has some serious concerns about House Bill 3: "An Act relating to voter identification at the polls; and relating to the counting of absentee and questioned ballots." The League of Women Voters of the United States was organized in 1920 as a result of the fight for women's suffrage and has a long history of interest in and fighting for voters' rights. A major focus for all state and local Leagues is the registration of eligible citizens and their participation in the voting process. In addition, the League works to educate voters on local issues through such actions as candidate forums and public events where experts are invited to speak on issues of local interest.

Given the League's interest in voter education and voter participation, the League feels that additional burdens placed on voters at the polling place amount to voter suppression. The League supports clean and fair elections, but given the lack of voter fraud in the state of Alaska, House Bill 3 with its voter identification requirements seems to be just such an additional burden and will result in making the act of voting more difficult, if not impossible, for some eligible voters. The current system managed by the Alaska Division of Elections is one of the best in the country and incorporates safeguards against voter fraud. There is no need for additional burdens on the voter.

In contrast to a process making it more difficult to vote, the League is researching ways to make voting easier and more inclusive for all eligible citizens. The League believes that voting is a fundamental citizen right that has been hard fought for by many in the history of this country, and voting is a right that must be guaranteed. Placing unnecessary burdens on the voters does not do justice to the notion of a democracy. For democracy to work effectively, all eligible citizens must feel that their voices can be heard through the act of voting. The League of Women Voters Alaska urges the Alaska Legislature not to impose additional burdens on Alaskan voters by adopting House Bill 3.

With regards,
Linda Witt

ALASKA PERMANENT FUND DIVIDEND

WHAT DO I DO IF THIS IS THE FIRST TIME I AM APPLYING FOR A DIVIDEND?

You must complete a dividend application and adult supplemental schedule. You will be required to submit an original birth certificate, passport or naturalization certificate, and other required information as requested from the PFD Division after we receive your application. If you do not have a certified birth certificate, go to vitalchek.com for information about ordering one. We will not accept a photocopy or hospital certificate.

Questioned Ballot Oath & Affidavit Envelope – Please print and press hard – You are making a copy

<p>1. You MUST complete this section</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No I am a citizen of the United States. <input type="checkbox"/> Yes <input type="checkbox"/> No I am at least 18 years old.</p>	For Office Use
<p>2. Last Name _____ First Name _____ Middle Initial _____ Suffix (Sr., Jr., Etc.) _____</p>	VN _____
<p>3. Name Previously Registered _____</p>	D/P _____
<p>4. Alaska Residence Address Where You Claim Residency</p> <p>_____</p> <p style="text-align: center;">House No. Street Name City Alaska State</p> <p>If your mailing address is different than your residence address, and you want to keep your residence address confidential, check the following box. *[] Yes, please keep my address confidential.</p>	Initials _____
<p>5. Mailing Address _____ City _____ State _____ Zip Code _____</p>	For Review Board Use Only
<p>6. *You MUST provide at least ONE</p> <p>Social Security No. _____ / _____ / _____ Last 4 Digits of SSN _____</p> <p>AK Driver's License No. _____ AK State ID Card No. _____</p> <p>[] I have not been issued a SSN, AK Driver's License or AK State ID No.</p>	District Registered _____ Sequence No. _____
<p>7. *You MUST provide Date of Birth ____/____/____ <small style="margin-left: 100px;">Month Day Year</small></p>	Count Code _____
<p>8. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female</p>	Reject Code _____
<p>9. *Alaska Voter Number _____ (if known)</p>	Purge Date _____
<p>10. *Daytime Phone No. _____ *Evening Phone No. _____</p>	Election Official Use
<p>11. Write Political Affiliation Here _____</p>	Reason for Questioned Ballot
<p>12. <i>I swear or affirm, under penalty of perjury, that:</i> The information on this form is true, accurate and complete to the best of my knowledge. I further certify that I am a resident of Alaska and I have not been convicted of a felony, or having been so convicted, have been unconditionally discharged from incarceration, probation and/or parole. I am not registered to vote in another state, or I have taken the necessary steps to cancel that registration. I am or have been a registered voter in Alaska at some time in the last 4 years or am newly registering. I have not and will not vote in any other manner in this election.</p> <p>*Voter Signature _____</p>	<input type="checkbox"/> Not on Precinct Register <input type="checkbox"/> Moved <input type="checkbox"/> No Identification & Unknown <input type="checkbox"/> Not a US Citizen <input type="checkbox"/> Not 18 years of Age <input type="checkbox"/> Felony Conviction <input type="checkbox"/> _____
<p>13. This form must be witnessed. By signing as a witness, I attest that to the best of my knowledge, the applicant is the person he/she claims to be and this certification was made in my presence on the date indicated.</p>	
<p>_____ Signature of Election Official</p>	<p>_____ Date</p>
<p>_____ District & Precinct No.</p>	<p>_____ Primary Ballot Choice</p>
<p>_____ Questioned Register Line</p>	

*Items are kept confidential by the Division and are not available for public inspection except that confidential addresses may be released to government agencies or during election processes as set out in state law. E23 (Rev 05/23/2011) AS 15.05, 07, 20. 6 AAC 25.



APPLICATION TO BE IDENTIFIED
ON THE MEMBERSHIP ROLL OF THE
CENTRAL COUNCIL OF THE TLINGIT AND HAIDA
INDIAN TRIBES OF ALASKA
ATTN: ENROLLMENT OFFICE
320 W. WILLOUGHBY AVENUE • SUITE 300
JUNEAU, ALASKA 99801-9983

ATTENTION: MEMBERSHIP IS LIMITED TO TLINGITS AND HAIDAS.
YOU MUST COMPLETE FRONT AND BACK PLEASE!

Full Name: _____

Other Names Used (Maiden, Etc.): _____

Mailing Address: _____

City _____ State _____ Zip Code _____

Telephone No.: () _____ Social Security No.: ____/____/____
(Required for ID Card)

Sex: ____ Male ____ Female

Birth date: ____/____/____ Birthplace: _____

Tlingit ____ Haida ____ Clan: Eagle ____ Raven ____

Application Filed By: ____ Parent ____ *Sponsor ____ Self

Please Indicate: ____ Natural Child ____ Adopted Child

*Name of Person Filing Application: _____

Mailing Address: _____

City _____ State _____ Zip Code _____

Relationship to Applicant: _____

**ONE OR MORE OF THE FOLLOWING DOCUMENTS IS REQUIRED FOR VERIFICATION:
INCOMPLETE APPLICATIONS WILL BE RETURNED.**

____ A CERTIFIED BIRTH CERTIFICATE (Listing one or both parents.) PHOTO COPIES AND
BIRTH CARD NOT LISTING PARENTS IS NOT ACCEPTABLE.

____ PATERNITY PAPERS (If Native parent is not on birth certificate.)

I hereby certify that the statements given for the purpose of Tlingit and Haida enrollment are correct and true.

Signature

Date

NOTICE OF FALSE OR MISLEADING INFORMATION:

If any statements are proven to be misleading or false, penalties may include: delay, disenrollment, criminal or civil charges filed against provider

PRIVACY ACT NOTIFICATION:

Any enrollment information will remain confidential.



NATIVE VILLAGE OF KOYUK
 IRA COUNCIL
 P.O. BOX 53030 * KOYUK, ALASKA 99753-3030
 PHONE: (907) 963-3651 * FAX: (907) 963-2353

Application No: _____
 Date Received: _____

APPLICATION FOR TRIBAL ENROLLMENT

Applicant's Full Name: _____

Alaska Native, Indian, Maiden or other name by which is known: _____

Mailing Address: _____
 City State Zip

Date of Birth: _____ Place of Birth: _____

Social Security Number: _____

Ancestor of base roll (or ANCSA roll) through whom enrollment rights are claimed (if known):

Name: _____ Roll Number: _____ Relationship: _____

DEGREE OF NATIVE BLOOD CLAIMED

_____	_____	_____
Alaska Native	Other (give degree & Tribe)	Total degree of Native Blood

Is either of your parents enrolled as a member of another Tribe? Yes No
 If yes, which parent and which Tribe? _____

Is applicant and adopted child? Yes No

Is applicant enrolled with another Tribe? Yes No

Is applicant a ~~direct lineal~~ descendant of a member of the Tribe? Yes No

COPY OF BIRTH CERTIFICATE, BAPTISMAL RECORD OR OTHER PROOF OF BIRTH AND PARENTAGE MUST BE SUBMITTED WITH APPLICATION FORM.

Signature of adult or sponsor _____ Date _____

If sponsored application, relationship of sponsor to applicant: _____

NATIVE VILLAGE OF WALES

APPLICATION FOR TRIBAL ENROLLMENT

Applicant's Full Legal Name: _____

Alaska Native, Indian, Maiden or Other Name by which known:

Mailing Address: _____

City

State

Zip

Date of Birth

Place of Birth

Social Security

____/____/____

____-____-____

Ancestor on base roll (or ANCSA roll) through whom enrollment rights are claimed: (if known)
Name: _____ Roll No: _____ Relationship: _____

DEGREE OF NATIVE BLOOD CLAIMED

Alaska Native

Other (give degree & Tribe)

Total degree of Native Blood

Is either of your parents enrolled as a member of another Tribe? Yes No
If yes, which parent and which Tribe? _____

Is applicant an adopted child? Yes No

Is applicant enrolled with another Tribe? Yes No

Is applicant a direct lineal descendant of a member of the Tribe? Yes No

COPY OF BIRTH CERTIFICATE, BAPTISMAL RECORD OR OTHER PROOF OF BIRTH AND PARENTAGE MUST BE SUBMITTED WITH APPLICATION FORM.

Signature of adult or sponsor _____

Date _____

If sponsored application, relationship of sponsor to applicant: _____

The Native Village of Eyak
P.O. Box 1388
Cordova, Alaska 99574-1388
Ph (907) 424-7738 Fax (907) 424-7739



APPLICATION FOR TRIBAL ENROLLMENT

Applicant Full Name: _____
Last First Middle

Maiden Name or Other Name by which known: _____

Mailing Address: _____
City State Zip Code

Telephone Number _____ Email address _____

Date of Birth: _____ Place of Birth: _____

Social Security Number: _____

Ancestor through whom enrollment rights are claimed:
Name: _____ Relationship _____

DEGREE OF INDIAN BLOOD CLAIMED:

Tribe/degree _____ Other/degree _____ Total degree of Indian Blood _____

- Are either of your parents enrolled as a member of another tribe? YES NO
If yes, which parent and with what tribe? _____
Is applicant an adopted child? YES NO
Is applicant enrolled with another Tribe? YES NO
Is applicant a direct lineal descendant of a member of the Tribe? YES NO

**A copy of Certificate of Indian Blood, Birth Certificate, Baptismal Record
or other Proof of Birth and Parentage
MUST BE SUBMITTED WITH THIS APPLICATION**

Signature of Adult Applicant or Sponsor _____ Date _____
If sponsored application, relationship of sponsor to applicant: _____

Recommendation of Enrollment Committee	Action by Native Village of Eyak Traditional Council
Approve <input type="checkbox"/>	Approve <input type="checkbox"/>
Reject <input type="checkbox"/>	Reject <input type="checkbox"/>
Reason(s):	Reason(s):
	VOTE: For: Against:
	Date of Meeting:

STEBBINS COMMUNITY ASSOCIATION

IRA COUNCIL
P.O. box 71008
Stebbins, Alaska 99671
Ph. (907)934-3561/(907)934-3560

APPLICATION FOR TRIBAL ENROLLMENT

Applicant's Full Legal Name: _____

Alaska Native, Indian, Maiden or Other Name by which known:

Mailing Address: _____

City State Zip

Date of Birth _____ Place of Birth _____ Social Security _____
_____/_____/_____ - _____ - _____

Ancestor on base roll (or ANCSA roll) through whom enrollment rights are claimed: (if known)
Name: _____ Roll No: _____ Relationship: _____

DEGREE OF NATIVE BLOOD CLAIMED

Alaska Native	Other (give degree & Tribe)	Total degree of Native Blood	
_____	_____	_____	
Is either of your parents enrolled as a member of another Tribe? If yes, which parent and which Tribe? _____		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is applicant and adopted child?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is applicant enrolled with another Tribe?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is applicant a direct lineal descendant of a member of the Tribe?		<input type="checkbox"/> Yes	<input type="checkbox"/> No

COPY OF BIRTH CERTIFICATE, BAPTISMAL RECORD OR OTHER PROOF OF BIRTH AND PARENTAGE MUST BE SUBMITTED WITH APPLICATION FORM.

Signature of adult or sponsor Date

If sponsored application, relationship of sponsor to applicant: _____



Officials Plead Guilty in New York Voter Fraud Case

By Eric Shawn

Published December 21, 2011 | FoxNews.com

A total of four Democratic officials and political operatives have now pleaded guilty to voter fraud-related felony charges in an alleged scheme to steal a New York election.

The latest guilty pleas expose the ease with which political insiders can apparently manipulate the electoral system and throw an election their way, by the forging of signatures of unsuspecting voters that are then cast as real votes.

"The phrase they use is: 'making sure they vote the right way,'" said a source close to the case, which is unfolding in Troy, N.Y. "It is not a Democratic or Republican thing. ... It is criminal."

Former Troy Democratic City Clerk William McInerney, Democratic Councilman John Brown, and Democratic political operatives Anthony Renna and Anthony DeFiglio have entered guilty pleas in the case, in which numerous signatures were allegedly forged on absentee ballots in the 2009 Working Families Party primary, the political party that was associated with the now-defunct community group, ACORN.

The four have pleaded guilty to one count of various charges, ranging from forgery to falsifying business records, and criminal possession of a forged instrument.

"Getting at the truth has always been the primary goal of this investigation," Special Prosecutor Trey Smith said in a statement, while also thanking New York State Police efforts to "bring those responsible for the voting fraud to justice."

Numerous voters told Fox News that they were stunned that their signatures were faked on absentee ballot applications and ballots, which were cast as real votes in their names in the 2009 primary election.

Brian Suozzo's absentee ballot application claimed that he was "at home recovering from medical procedure," which he told us was not true.

"Someone took my signature and voted with it and I feel extremely violated," Suozzo said when Fox News first broke the story nationally in 2009. "The whole thing seems dirty to me."

Jessica Boomhower's absentee ballot application falsely claimed that she was in Boston.

"I can't believe they thought they would get away with this," she told Fox News. "I didn't get to cast my vote on my own. ... They're corrupt. I am sure this goes on a lot in politics, but it's very rare that they do get caught."

Two of the ballot applications claimed that the voters were unavailable, because they were supposedly on a "bus trip to casino."

Smith, at one point during the two-year long investigation, even obtained court orders to take DNA samples from five of the seven Democratic members of the Troy City Council. The goal was to try and compare the samples to any DNA evidence found on the absentee ballot envelopes.

No Republicans were implicated in the alleged conspiracy, but one political operative claimed that such voter fraud occurs "on both sides of the aisle."

In November 2009, Democratic operative Anthony DeFiglio told New York State police investigators that faking absentee ballots was a commonplace and accepted practice in political circles, all intended to swing an election.

"This is an on-going scheme and it occurs on both sides of the aisle," he told police. "The people who are targeted live in low-income housing and there is a sense that they are a lot less likely to ask any questions."

He said that "it was common knowledge that these people were never going to receive an absentee ballot. This is a political strategy to get control of a third party line."

DeFiglio claimed that "the reason that this came to light in this election, was the sheer number of absentee ballots that went out to the Working Families Party. ... To political insiders in the county, what appears as a huge conspiracy to non-political persons is really a normal political tactic."

Troy City Council President Clem Campana pleaded not guilty on Tuesday to charges including falsifying business records and illegal voting.

When Fox News asked him about the case last year, Campana was adamant that he did nothing wrong.

"No one tried to steal any election," he claimed. "I did nothing wrong, I don't know if anyone did, and if they did, they should be held accountable for it."

City Councilman Michael LoPorto and Democratic County Elections Commissioner Edward McDonough were indicted earlier this year and they face trial on the felony charges next month.

LoPorto also denied the allegations when Fox News questioned him last year.

"Did you do anything wrong?" Fox News asked.

He answered, "No."

"Did you try to steal an election?"

"No."

"Did you forge any ballots?"

"No," said LoPorto.

"They did steal an election," claimed Bob Mirch, the pugnacious former Republican Majority Leader of the Rensselaer County legislature, who first discovered the alleged fraud and started the investigation. For his efforts in trying to expose what happened, Mirch says he was voted out of office after serving 16 years and was replaced by a Democrat.

"This is just the tip of the iceberg," he said about voter fraud. "This case in Troy shows that the political insiders had this scheme down pat. Two years ago the public didn't believe me, but they know it now."

The case in Troy echoes a similar election fraud investigation that is now ongoing in Indiana.

St. Joseph County Prosecutor Michael Dvorak, in South Bend, is currently investigating allegations that numerous signatures on 2008 Democratic Presidential primary petitions for then candidates Barack Obama and Hillary Clinton, were faked. There are claims that so many signatures were fraudulent, that the Obama campaign may not have actually obtained enough legitimate signatures to have legally qualified for the ballot. And just like the New York voters in Troy who told Fox News that they never signed absentee ballots, voters in South Bend and Mishawaka told us that their signatures were forged too.

If you suspect voter or election fraud where you live, tell us. Our address is voterfraud@foxnews.com

 Print  Close

URL

<http://www.foxnews.com/politics/2011/12/21/officials-plead-guilty-in-new-york-voter-fraud-case/>



Did Obama supporter vote 6 times in 2012? Ohio poll worker target of investigation

By Eric Shawn

Published February 19, 2013 | FoxNews.com

The Obama/Biden lawn sign remains proudly planted in front of Melowese Richardson's Cincinnati home, three months after the presidential election.

It seems that President Obama has an especially ardent supporter in the veteran Ohio poll worker.

Richardson told a local television station this month that she voted twice last November. She cast an absentee ballot and then voted at the polls as well.

"Yes, I voted twice," Richardson told WCPO-TV. "I, after registering thousands of people, certainly wanted my vote to count, so I voted. I voted at the polls."

Authorities also are investigating if she voted in the names of four other people, too, for a total of six votes in the 2012 presidential election.

"I'll fight it for Mr. Obama and for Mr. Obama's right to sit as president of the United States," Richardson vowed when asked about the voter fraud investigation that is now under way.

Richardson is one of 19 people suspected of illegal voting by the Hamilton County Board of Elections in the last election.

"I'm outraged, and every voter, regardless of their political affiliation, should be outraged," said Hamilton County Board of Elections member Alex Triantafilou, who is also chairman of the county Republican Party. "It causes folks to have real doubts about the fabric of our very democratic process, and it's dangerous. It is disconcerting that someone would be so bold as to admit their conduct in such a fashion ... We fully intend to prosecute these cases."

Richardson claimed she had submitted an absentee ballot, but was afraid her vote would not count so she also voted in person. She also said she voted in the name of her granddaughter and yet another person.

"There was absolutely no intent on my part to commit any voter fraud," she insisted.

Richardson's granddaughter, India Richardson, confirmed to Fox News that her grandmother voted for her, by submitting an absentee ballot in her name. India told Fox News that she is not angry, and gave her permission to cast her absentee ballot.

"It wasn't a big deal," she said.

But election authorities say voting more than once, or in someone else's name, is a big deal because it is illegal and threatens the credibility of the nation's election system.

"It appears she not only attempted to vote more than once, but was actually successful at it and having those additional votes counted," Ohio Secretary of State John Husted, who is in charge of the state's elections, told Fox News.

"She appears to have used her position as a poll worker to cover her tracks. That would be someone who is an official in the elections process, using that position to commit a fraud. That is especially troubling to me, as the chief elections officer of the state, because it is my responsibility to make sure the system runs effectively, that it has integrity. When I find issues like this, I know that it undermines voter confidence in our elections, and we must pursue it."

Three other absentee ballots in the names of different people were submitted to the Board of Elections from Richardson's address on Nov. 1. Officials say the handwriting on those ballots is similar and that they were all received together, on the same day that Richardson's absentee ballot arrived at the office. Richardson maintains that some of the other voters live at her house.

Attempts by Fox News to reach Richardson were unsuccessful, but she claimed to the local station that the votes were "absolutely legal votes."

In written reports detailing the 19 cases, Board of Elections investigators described their findings. In one instance, an investigator called a suspected double voter and was hung up on.

"I explained that she voted twice and she told me not to bother her and get off her phone and she hung up," the investigator wrote.

Another voter admitted to double voting, but did not think it was an issue.

"The voter said yes she 'voted early' and then voted again, then she asked 'what's the problem?'" according to the report.

Yet another voter was at a loss for explaining why he voted more than once.

"Voter said he remembered both times. He doesn't know why he voted twice," the report said.

The documents show that another voter said he had received a phone call before Election Day telling him his absentee ballot would not count. When investigators questioned him about voting two times, the voter replied "'as usual, you guys are wrong.' ... he was curious about the investigation and asked 'Now what will you do' and 'are you taping me now?'"

The Hamilton County Board of Elections is holding hearings to further investigate these cases.

"It is so fundamental to people's faith in the democratic process, that we need to act very strong to make sure that we are doing everything we can to keep people's faith," declared Triantafilou. "There is always the concern, though, that there are those situations where we didn't catch folks."

As part of a new effort to root out any voter fraud, Secretary of State Husted has ordered all 88 of the state's county Board of Elections to hold public hearings on any credible voter fraud allegations or claims of voter disenfranchisement during the 2012 election. He said any substantiated allegations should be turned over to prosecutors.

"Once the election is over, and once the winner is declared, everybody forgets about it. I want to make sure that we don't forget about it, that we make sure we do, essentially, an audit of that process to ensure that we know what happened, and then use that evidence to guide us going forward. ... We need to learn from that last election so that we can be better before the next one gets here."

"Fraud does happen," noted Husted. "Most attempts are caught by the system. But there are cases that do slip through, as this one does, and we need to make sure that we really send a strong message, that if you do this, you are going to be held accountable. It might mean fines, it might mean jail time."

Voter fraud, said Husted, "undermines public confidence in democracy, and that's why we need, whether you are a Democrat or Republican, to root out all cases of voter fraud."

If you suspect voter fraud where you live, tell us: Voterfraud@Foxnews.com

Meredith Amor contributed to this report.

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URL

<http://www.foxnews.com/politics/2013/02/19/ohio-poll-worker-obama-supporter-investigated-for-potentially-voting-six-times/>



State of Alaska
Department of Health & Social Services
Division of Public Assistance
<http://www.hss.state.ak.us/dpa/>

Application for Services

If you need help filling out this form or have questions, please tell us – we can help!

How do I apply?

Complete page A of this application form with your name, address, and signature, and give it to us.

What do I do next?

Fill out the whole application form.

- Attend an interview with a Public Assistance caseworker or Fee Agent.
- Provide proof of your income, expenses, and other circumstances.

You may apply for one or more program benefits with the same application.

How long will it take?

It may take up to 30 days to process your application.

You can get food stamps within 7 days if:

- Your household's monthly gross income (income before deductions) is less than \$150 and your cash and money in the bank is not more than \$100; or,
- Your household's monthly rent/mortgage/utility payments are more than your monthly gross income, cash, and money in the bank.

If eligible, benefits for Temporary Assistance and Food Stamps start the date we receive your completed page A. Adult Public Assistance, Medicaid benefits, and benefits from other programs may start on a different date.

Do I have to go to an interview?

Yes. A personal interview is required before the caseworker can determine if you are eligible for assistance. You may schedule an interview at the Public Assistance office or with your local Fee Agent. If you cannot attend an interview in person, contact the Public Assistance office so other arrangements can be made. Your application will be denied if you do not attend an interview within 30 days.

Programs

Medicaid

Offers medical coverage to families, children, elderly, disabled adults, and pregnant women. Also helps with Medicare Parts A and B premiums.

Chronic & Acute Medical Assistance

Helps people with specific illnesses who don't qualify for Medicaid and have little or no income.

Food Stamps

Helps people buy food.

Temporary Assistance Program

Gives monthly cash payments to eligible families with children.

Adult Public Assistance

Gives monthly cash payments and medical assistance to eligible elderly, blind, and disabled persons.

General Relief Assistance

Helps eligible individuals and families with emergency rent and utility needs. Also helps with burial costs.

Information Page - Read and keep this page for your records.

What do I need to bring to my interview?

To avoid delays, bring these items with you to your interview. Go to your interview even if you do not have all of the items. We may be able to assist if you need help getting them. For some programs, certain expenses may be allowed in determining your eligibility and benefit amounts.

For Any Program or Service:

- Identification, such as a Driver's License, State ID card, or Certificate of Indian Blood.
- Proof of where you live, such as a rental agreement or current bill showing your residence address.
- Proof of lawful immigration status, such as an Alien Registration Card, for anyone in your household who is an immigrant and applying for benefits. Note: This information is not needed if you are applying for Medicaid for Emergency Treatment of Aliens.
- Proof of money in the bank, such as recent bank statements for checking, savings and credit union accounts for all the people in your household.
- Proof of income received by everyone in your household. This can be provided by the most recent pay stubs or a work statement from an employer. If self-employed, bring in income and expense records. Bring proof of unearned income, like unemployment benefits, SSI, Social Security, Veteran's benefits, child support, worker's compensation, school grants or loans, rental income, etc.

For Food Stamps, Medicaid or Alaska Temporary Assistance:

- Proof of your housing costs, such as receipts or documents that show your housing costs, including rent, space rent, mortgage payments, utility bills, property tax, home insurance.
- Proof of medical expenses belonging to anyone in your household who is elderly or disabled.
- Proof of child care costs due to someone working, looking for work, attending training or school, or participating in a required work activity.
- Proof of child support paid by a person in your household. You will need to show the child support order, the amount of the monthly obligation, and the amount you currently pay.

For Medicaid:

- Proof of U.S. citizenship, such as a birth certificate, of all persons applying for benefits.
- Proof of medical or health insurance, including a copy of the Medicare Card, if you have any.
- Proof of pregnancy and due date, if someone in your household is pregnant.

For Adult Public Assistance:

- Proof of application for Supplemental Security Income (SSI).

For General Relief Assistance:

- Proof of your need, such as an eviction notice or utility shut off notice.

Your appointment is on:

Date/Day _____ Time _____ Phone _____

Location/Interviewer _____ Fax _____