

ALASKA LEGISLATURE

2549

HOUSE and SENATE FINANCE COMMITTEE FILES, 2003-2004

Alaska State Legislature
House Finance Committee

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SPONSOR STATEMENT

House Bill 256, An Act relating to a dividend payment to the state made by the Alaska Housing Finance Corporation each fiscal year

House Bill 256 would amend and codify the agreement between the Alaska Housing Finance Corporation and the Legislature calling for the transfer of AHFC's net income to the State General Fund in the form of an annual dividend that funds debt service for certain bonds and capital projects.

Under the current plan, the transfer from AHFC for FY 2004 would be \$75.6 million, down from \$103 million for FY 2003. With the modifications in this bill, the transfer amount would remain at \$103 million for Fiscal Years 2004 through 2006.

In order to allow AHFC to make these payments in excess of net income without affecting their bond ratings, starting in FY2007 the payments from AHFC to the state would be a percentage of net income. This change would bring the AHFC dividend more in line with the AIDEA and Alaska Student Loan Corporation dividend plans. Currently the ASLC pays less than 35% of its net income and AIDEA pays 50% of its net income to the State, while this proposal has AHFC paying 95% in 2007, 85% in 2008 and 75% thereafter.

The purpose of this bill is to keep the transfers from AHFC at a predictable, sustainable level while assisting the Governor and the Legislature in finding a balance between state revenues and expenditures.

This orderly and sustainable approach to transfers will help AHFC and the State of Alaska maintain their strong bond ratings and access to capital markets—which will likely be critical to any fiscal plan developed by the State.

Alaska Housing Finance Corporation
Summary of Projected Amounts Available for Appropriation

Fiscal Year	Total Equity	<i>Net Income</i>	Cash Transfers	Capital Budget	Total Transfers	Committed to Debt Service	AHFC Capital Budget	Net Available for General State Use	% P/Y Net Income	% C/Y Net Income	% Total Equity
1996		<i>117,480</i>	<i>70,000</i>	<i>58,033</i>	<i>128,033</i>	-	26,806	101,227		109%	
1997	1,814,393	<i>108,326</i>	<i>50,000</i>	<i>51,048</i>	<i>101,048</i>	-	29,978	71,070		93%	5.569%
1998	1,821,455	<i>95,916</i>	<i>50,000</i>	<i>53,000</i>	<i>103,000</i>	-	24,214	78,766	88%	107%	5.655%
1999	1,788,035	<i>79,850</i>	<i>50,000</i>	<i>53,000</i>	<i>103,000</i>	7,856	14,885	80,259	95%	129%	5.761%
2000	1,752,355	<i>81,802</i>	<i>50,000</i>	<i>53,000</i>	<i>103,000</i>	17,934	22,472	62,594	107%	126%	5.878%
2001	1,773,677	<i>96,353</i>	<i>50,000</i>	<i>53,000</i>	<i>103,000</i>	34,992	14,121	53,887	129%	107%	5.807%
2002	1,765,810	<i>75,660</i>	<i>50,000</i>	<i>53,000</i>	<i>103,000</i>	43,999	18,971	40,030	126%	136%	5.833%
2003	1,765,810	68,650	50,000	53,000	103,000	50,000	13,002	39,998	107%	150%	5.833%
2004	1,692,811	70,000	50,000	53,000	103,000	50,000	25,660	27,340	136%	147%	6.085%
2005	1,624,811	75,000	50,000	53,000	103,000	50,000	25,000	28,000	150%	137%	6.339%
2006	1,561,812	80,000	50,000	53,000	103,000	50,000	25,000	28,000	147%	129%	6.595%
2007	1,575,562	85,000	46,250	25,000	71,250	20,234	25,000	26,016	95%	84%	4.522%
2008	1,597,562	90,000	43,000	25,000	68,000	-	25,000	43,000	85%	76%	4.256%
2009	1,628,812	95,000	38,750	25,000	63,750	-	25,000	38,750	75%	67%	3.914%
2010	1,661,312	100,000	42,500	25,000	67,500	-	25,000	42,500	75%	68%	4.063%
2011	1,695,062	105,000	46,250	25,000	71,250	-	25,000	46,250	75%	68%	4.203%

Assumptions

- Change in Alaska Statutes 18.56 to reflect % of net income to determine annual transfer to State
- Maintain/Increase AHFC issuer credit ratings
- Maintain AHFC's ability to respond/react to changes in housing industry
- Achieve a consistent & predictable approach to transfers with the ability to sustain them on a long-term basis

Notes:

Bold numbers are projections, Italic numbers are historic/actuals

5/19/03

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Unprecedented State Budget Deficits Across Nation Prompt Surge In HFA Transfer Proposals

Raids Continue To Stress Many Hfas At A Time When Industry Is Dealing With Its Own Market Challenges. Twelve Proposals Totalling More Than \$360 Million Under Analysis- More State Raids Expected.

Summary Opinion

- For 2003, Moody's expects state governments to continue last year's trend of tapping their housing finance agencies (HFAs) to help close projected budget gaps. State raids of HFAs topped \$500 million in 2002 and Moody's expects similar, or even greater, amounts to be transferred in the coming months.
- In the last few weeks, Moody's has been advised of 12 proposals that, if enacted as currently proposed, would transfer \$364.76 million from HFA coffers for either general state purposes or other state-related housing activities. While most of the current proposals call for direct cash transfers, others are less burdensome and therefore have a less dramatic financial impact on the HFA.
- While no state HFA Issuer Rating or bond rating was downgraded in 2002 as a result of these raids, the risk of downgrades is far greater this year given the magnitude of fiscal imbalance for many states and the unprecedented challenges facing HFAs at this time. These HFA industry-wide challenges include decreasing asset bases and lower profitability caused in large part to the continuing record-low interest rate environment.
- Because state HFAs are creations of their parent state governments and tend to have healthy fund balances even during recessions, HFAs have often been called upon to help close state budget gaps through the transfer of monies to their state treasuries. In some cases, this money comes from rated single family or multi-family bond programs, and in other instances, the money is transferred from unrestricted and unpledged monies of the state HFA.
- Due to the ever-present risk of state raids, Moody's analyzes the potential of such transfers when assigning Issuer Ratings to state HFAs. Because each situation is unique, Moody's has taken several different actions when making credit decisions resulting from state transfers. These can include capping ratings, assigning negative outlooks, as well as maintaining the status quo.



Magnitude of State Budget Deficits Cause Greater Reliance on HFAs

Unlike their parent state governments, the financial condition of housing finance agencies has been historically very steady and predictable. As a result, state housing finance agencies tend to have healthy fund balances even during recessions. Consequently, state raids of housing finance agency reserves are an ever-present risk and represent one of the few negative credit factors affecting the otherwise strong credit position of the state housing finance sector.

While many states have counted on their HFAs to help plug projected deficits in the past, today's environment is much more grave. The nation's current economic slowdown has produced plummeting tax revenues over the past two years that have wrought staggering projected budget deficits for many states. Given the continued economic weakness and the concomitant decline in revenues - particularly from securities-related activities, the enormity of many projected state budget gaps for 2003 and 2004 is unprecedented. Fiscal experts have predicted cumulative deficits of over \$50 billion for 2003 and over \$75 billion for 2004.

These economic circumstances, in turn, have increased significantly the reliance of states on their HFAs for help in closing these projected budget gaps. It is therefore not surprising that since the beginning of the year Moody's has been made aware of 12 proposals that if enacted as proposed, would transfer over \$360 million from housing finance agency coffers to their respective state treasuries.

Some of these new transfer proposals would involve funds being withdrawn from rated single family or multi-family bond programs, and in other instances, the money would be transferred from the general monies of the state HFA. While most of the current proposals call for direct cash transfers, others are less burdensome and are likely to have a less dramatic financial impact on those HFAs. In these proposals the state raids take other forms such as having the HFA take on new expenses and responsibilities that the state would have otherwise financed itself. In these instances, monies would not flow from the HFA, rather, the state would not appropriate monies this year that it normally does, leaving the HFA to replace these amounts from internal sources. Still other types of state raids include having the HFA offer a line of credit, or reducing or eliminating state funding to the HFA for certain programs.

STATE RAID PROPOSALS COME AT A CRITICAL TIME FOR HFAS

While state reliance on housing finance agencies in the past has not been particularly burdensome to the HFAs, this year the industry is having its own stresses affecting the financial strength of many housing finance agencies. Indeed, the past two years of record low interest rates have caused HFA assets to decrease as a result of an unprecedented level of mortgage prepayments and the more competitive nature of mortgage originations. Transferring significant amounts of money from state HFAs this year may hurt their balance sheet and profitability more than ever before. Moody's has already made certain conclusions regarding some of the proposals and is in the midst of reviewing the details of others to determine if these raids will have any negative affect on credit ratings. Although most of the proposed amounts have yet to be finalized, thus far proposals include:

Alaska Housing Finance Corporation	\$75.66 million
Connecticut Housing Finance Authority	\$ 40 million
Hawaii Housing and Community Development Corporation	\$ 14 million
Maine State Housing Authority	\$ 1.9 million
Maryland Housing Fund/Maryland Community Development Admin	\$ 10 million
Massachusetts Housing Finance Agency	\$ 4 million
New Jersey Housing and Mortgage Finance Agency	\$50 million
New York State Housing Finance Agency	\$1.5 million
State of New York Mortgage Agency (Mortgage Insurance Fund)	\$50 million
South Carolina State Housing Finance and Development Authority	\$5.7 million
Virginia Housing Development Authority	\$87 million *
West Virginia Housing Development Fund	\$25 million
	\$364.76 million

*Face amount of loans to be purchased. Purchase price expected to be discounted.

Current State Raid Proposals

Below is a list of this year's proposed transfers to date. Since these transfer proposals are a constantly moving target, the ultimate transfer amount is likely to change for many of these state HFAs.

Alaska Housing Finance Corporation - AHFC recently submitted a plan to the Legislature that would transfer \$76.55 million from the Corporation's General Fund to the state in fiscal year 2004. This transfer plan was not unexpected as the Corporation regularly sends monies to the State as part of a comprehensive long-term transfer agreement. Given the history of these annual transfers and the existence of the long-term agreement, Moody's does not

believe this latest transfer will affect any of the Corporation's ratings. Last year, the Corporation transferred \$96.3 million to the state for budgetary relief.

Connecticut Housing Finance Authority - CHFA is facing the second part of a raid that was negotiated last year that transfers a total of \$85 million over two years from its sole bond program - the Housing Mortgage Finance Bond Program - in exchange for state-owned housing assets. This \$3.1 billion bond program finances both single family and multi-family housing and is rated Aaa. Moody's has determined that the purchase of \$85 million of state-owned assets will not cause a rating downgrade on the program. Any further transfers, however, would need to be analyzed closely to determine the potential credit impact.

Hawaii Housing and Community Development Corporation - Because the State of Hawaii did not participate in the robust national economy of the 1990s, the Corporation has been subject to a number of transfers over the last decade totaling more than \$175 million. Another proposal is on the table to transfer a rather modest amount - \$14 million - from various Corporation funds to the State. In addition, the legislature has proposed other transfers but no dollar amount has been associated with those bills. Moody's is carefully monitoring these proposals as we currently have the Corporation's A1 Issuer Rating on watch for downgrade. Last year, the Corporation transferred just over \$25 million to the state for budgetary relief.

Maine State Housing Authority - The Legislature has submitted a proposal that may result in a raid of up to \$1.9 million each year over the next two years. Typically, the State realizes HOME funds in the amount of \$9 million each year from real estate transfer taxes. Under the proposed legislation, if HOME funding comes in at less than typical levels, Maine Housing would be expected to maintain funding at the current levels by covering the expense of a homeless shelter program. The maximum amount that the Authority may be expected to fund is \$1.9 million per year in fiscal years 2004 and 2005 as the State plans to take the first \$7.5 million of HOME funds in those years. If HOME funding comes in at historical levels, the Authority should receive HOME funds for the shelter program as has been the case in the past. The Authority reports that any funding it is asked to make will come from General Funds of the Authority. If this occurs, Moody's does not believe it will have an impact on the Authority's Issuer Rating.

Maryland Housing Fund/Maryland Community Development Administration - The Legislature has proposed transferring \$10 million from the Maryland Housing Fund's Unallocated Reserves to the State. The Maryland Housing Fund (MHF), a sister agency to the Maryland Community Development Administration (CDA), provides mortgage insurance for single family and multi-family loans, most of which are bond financed through the Maryland Community Development Administration. The proposal leaves intact all of the monies held in MHF's specific Multi-family and Single Family Reserves as well as a portion of the monies in the Unallocated Reserve. Given the level of MHF's remaining reserves and the financial strength of CDA's Single Family Program Bonds and Multi-family Housing Revenue Bonds (Insured Mortgage Loans) which rely on the Maryland Housing Fund, Moody's does not believe that the Aa2 ratings on these two programs would be negatively affected.

Massachusetts Housing Finance Agency - Massachusetts HFA is expecting the Commonwealth to withhold its annual SHARP payments to the Agency which was to be approximately \$4 million. This decrease in state appropriations is not expected to affect either the Agency's bond ratings or its Issuer Rating as the SHARP subsidies have been declining over time and the Agency has established sufficient reserves for the eventual termination of the SHARP subsidies within the next couple of years.

New Jersey Housing and Mortgage Finance Agency - New Jersey's HFA has already transferred \$25 million to state coffers in fiscal year 2003 and may be facing another \$25 million raid for fiscal year 2004. According to the current proposal, the additional \$25 million would be used for housing purposes at the state level, in keeping with Agency's mission. We expect that the funds will come from general Agency reserves, rather than bond related reserves. New Jersey Housing and Mortgage Finance Agency's Issuer Rating stands at Aa2 with a positive outlook. Given the strength of the Agency's financial position, even if the entire \$25 million is utilized, Moody's does not believe that Aa2 Issuer Rating will be negatively affected. These two \$25 million transfers are in addition to the \$25 million transferred to the state last year for fiscal year 2002 budgetary relief.

New York State Housing Finance Agency - For the second consecutive year, New York State HFA has funded the Small Cities Program in the annual amount of \$1 million, a program that has historically been funded through regular state appropriations. NYS HFA reports that it is expecting to fund the program again in fiscal year 2003/2004. The Agency is also expecting to be given the responsibility of funding a \$500,000 capital grant program that it has been administering but had previously been funded by the State through its Division of Housing and Community Renewal. Last year, the State relied on HFA for \$50 million of budgetary relief in addition to its \$1 million funding of the Small Cities Program.

State of New York Mortgage Agency - Subject to legislative approval, the New York State Executive Budget proposal authorizes the State of New York Mortgage Agency's (SONYMA) Mortgage Insurance Fund (MIF) to provide credit enhancement to the proposed Tobacco Settlement Financing Corporation. This new public benefit corporation is expected to be created in order to securitize New York State's future share of tobacco settlement monies. The

MIF currently insures single family and multi-family loans and is used extensively as credit enhancement on SONYMA's single family bond programs as well as a number of multi-family bond issuers including the New York State Housing Finance Agency. The amount of credit enhancement, if any, and how it would be funded is not yet clear but is expected to be at least \$50 million. SONYMA is looking to structure any such credit enhancement so as to not affect the Fund's ratings. While recent legislative negotiations make the Mortgage Insurance Fund's involvement less likely, nothing has yet been finalized. Last year, the Agency transferred \$150 million of MIF monies to the State for budgetary relief.

South Carolina State Housing Finance and Development Authority - For fiscal year 2004, South Carolina's House has passed a bill that would transfer \$5.7 million from the state's Housing Trust Fund - a Fund that resides with the State Treasurer. The proposal is currently awaiting Senate approval. The Authority receives monies from a percentage of the documentary stamp tax relating to real estate transactions within the State which are deposited into the Housing Trust Fund. This Fund is specifically segregated on the Authority's financials and is used for designated affordable housing projects and is not available for other purposes of the Authority. Moody's does not take these monies into account when assessing the issuer credit rating so there should be no impact on the Authority's Issuer Rating. Last year, the Authority transferred \$2.5 million of restricted assets to the state for budgetary relief.

Virginia Housing Development Authority - VHDA has committed to buying a portfolio of \$87 million face amount of loans from the Commonwealth at a price to be determined utilizing a third party evaluator. VHDA originated and continues to service these loans on behalf of the Commonwealth. These loans, however, are primarily very low-rate, high-risk, multi-family and single family loans, and accordingly the purchase price is expected to be at a discount. VHDA may issue taxable bonds to finance the acquisition of these loans.

West Virginia Housing Development Fund - West Virginia's HFA has been asked to fund a \$25 million economic development program for the state. According to WVHDF, the program will likely be financed through the issuance of WVHDF general obligation bonds and repaid over ten years. Despite this proposal, Moody's expects WVHDF to maintain its Issuer Rating of Aaa. Last year, the Fund transferred \$5 million to the state for budgetary relief.

Conclusion

The dramatic increase in state raids on HFAs over the past two years has not been unexpected. Moody's had anticipated that these types of raids on state HFAs would likely result from the budgetary pressures of the weakening national economy and the effects of the September 11th terrorist attacks. As stated in our October 2001 Special Comment on the Housing Bond Sector, "Moody's believes that the risk of future state raids has increased this year given the nation's weaker economy." Indeed, Moody's expects to see more state raid proposals as more states finalize their budgets. Moody's will review each transfer to determine what actions, if any, to take on single family and/or multi-family bond ratings, or in some cases, state HFA Issuer Ratings. This year's raids, however, come at a critical time for many state HFAs as they struggle with dwindling assets and lower profitability. Hence, the possibility of downgrades this year is far greater than at any other time in history.

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Report Number:77761

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SENATE FINANCE COMMITTEE

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HB 256-DIVIDEND PAYMENT TO STATE BY AHFC

NAME: Dan Faulstich Subject/Bill No: _____
Co./Dept./Title: AHFC Phone: 330-8452
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: Joe Dubler Subject/Bill No: _____
Co./Dept./Title: AHFC Phone: 330-8452
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: Bryan Butcher Subject/Bill No: _____
Co./Dept./Title: AHFC Phone: 330-8452
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
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Do you wish to testify? Yes No Respond To Questions

HB

259

HFIN

FILE

Alaska State Legislature

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House Special Committee on Education

Representative Carl Gatto, Chair

SPONSOR STATEMENT

HOUSE BILL 259

AN ACT RELATING TO APPROPRIATIONS FOR PUPIL TRANSPORTATION

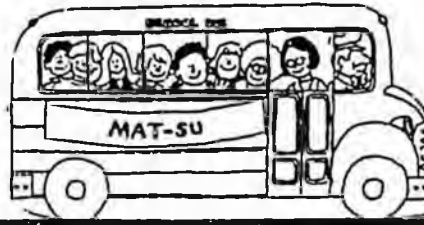
This bill improves the existing method of funding pupil transportation allowing each district to spend any savings in the classrooms while limiting the "runaway costs" which have been associated with pupil transportation costs.

Appropriations under this bill will be determined by dividing the FY03 pupil transportation allocation by the FY03 enrollment; this creates a per pupil transportation amount for each district. This per pupil cost of transportation will then be set in statute and used as a multiplier to the ADM, less correspondence, in future years to determine transportation entitlement. This formula will guarantee an amount of money specifically connected to the ADM count already required for Foundation Formula Funding.

This method of reimbursing school districts does two things: it allows for more realistic, appropriate and predictable annual appropriations for each district. Additionally it eliminates the "cost plus" reimbursements which have resulted in the 136% increase in this program's expense to our state since 1990. By connecting transportation costs to enrollment, and fixing the State's appropriation to the FY03 level, we create incentive for school districts to become more efficient, allowing them to place any savings associated with transportation contracts back into the classroom where it belongs. I urge your support in seeking the passage of this bill.

**MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT
PUPIL TRANSPORTATION DEPARTMENT**

3901 E. Bogard Rd.
PO Box 873088
Wasilla, AK 99687



MAR 11 2003

Phone: (907) 373-2287
Fax: (907) 376-2408

March 5, 2003

Dear Representative Gatto:

In the current times of budget shortfalls and reduced funding requires all of us to search long and hard for means to become more efficient in the way we conduct business. We have given thought to how we in the pupil transportation department can improve how we do business. I would like to pass to you some of the ideas that have come to light that could be adopted on a state-wide basis that could reduce the cost of pupil transportation for the entire state.

Thank you for your support and hard work and I look forward to working with you in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Schwald'. The signature is fluid and cursive, written over a horizontal line.

Scott Schwald
Transportation Supervisor

cc: Joe Precourt, Administrator, Pupil Transportation Program

**Methods to Increase Efficiency
In
Pupil Transportation**

- Wherever possible combine middle school and high school students on the same buses.
- School bus routing can be made more efficient by spacing stops no closer than 2400 feet and by not sending buses into areas that have less than 8 students over a mile from the current route or areas less than a mile with less than 20 students. This will reduce time and mileage resulting in lower contract costs.
- Standardize RFP statewide for Pupil Transportation. This will reduce the time for each district writing a complete RFP. It will also reduce the cost for contractors by having one standard for the entire state.
- Establish a formula for gas/diesel fuel costs in the RFP so the contractors do not have to estimate what the price of fuel will be over the life of the contract.
- Establish a formula in the RFP for variations in insurance costs. This would help a great deal with the small contractors that are not self-insured.
- State, Borough or School district own the property and terminal where all buses are operated. The contractor can then lease the property and terminal for a nominal fee.
- All school districts do all routing internal to the school district and not allow contractors to route buses.
- Establish a consulting team from the larger school districts that can be used to assist small districts with operations and administration of the transportation department.
- Increase the size of equipment required in the RFP to at least 84 passenger buses.

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OPINIONS

COMPASS: Points of view from the community A new option for pupil transportation

By JIM CLARK

(Published: April 20, 2003)

For many years, the state of Alaska fully funded pupil transportation costs by reimbursing school districts for 100 percent of the costs. But the reimbursement program has many flaws. The program lacks incentives for local school officials to keep costs to a minimum because, under its current structure, the state reimburses all transportation costs. It is a "cost-plus" program.

Pupil transportation costs have skyrocketed from \$25 million to \$58 million, a total increase of 136 percent from 1990 to 2004. This growth far exceeds the combination of increased enrollment and inflation. Under the current program, school districts typically solicit five-year contracts with automatic annual inflation adjustments. The costs associated with the contract and future inflation costs are passed on to the state.

Further, the program authorizes funding of additional bus routes or emergency bus routes for students who live one-and-a-half miles from school. Emergency routes take into consideration traffic patterns, harsh weather and winter darkness. These conditions vary widely around the state and each carries a different price tag.

Two other examples of uncontrollable costs are dual systems in which the school district operates its own buses and contracts for other, and the practice of transferring nonreimbursable costs to the reimbursable side of the ledger.



Jim Clark (Photo by Marc Lester / Anchorage Daily News)

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HB 259 offers a more responsible alternative to the current system. This legislation will realign the current structure and control the operating costs of busing students. The proposed structure will provide funding for each district at a flat rate and empower the district to make a policy call at the local level by tying the dollars directly to the decisions made by the local school board. Finally, HB 259 serves as the catalyst for maximizing efficiencies for local school bus programs and to provide parents with measures by which local school officials can be held accountable.

The proposed changes under HB 259 repeal the reimbursement program and create a new grant program. Each district receives funding run through a formula based upon the total enrollment of each school district. The pupil transportation allocation of each district is determined by dividing the total cost of state-provided school transportation during the 2002-2003 school year, by the district's total student enrollment. For example, the state will reimburse Juneau about \$2 million for transportation costs incurred in FY2003. Currently, 5,463 students are enrolled in Juneau schools. Therefore, \$2 million would be divided by 5,463 students. This equals \$366 per student as the district's pupil transportation allocation.

HB 259 offers a school district potentially more funding for pupil transportation. As the total student population increases, the district's allocation increases. The new formula even accounts for students who do not utilize the bus service, which would offset inflation.

The proposed system enables each district to redirect the savings gained by achieving efficiencies in its school transportation service to classroom instruction.

HB 259 removes the state's power to mandate rules and regulations with which districts must comply to qualify for reimbursement. School district officials working cooperatively with their school boards and community members are in a better position to make decisions on how best to serve the transportation needs of the district.

The structure proposed by HB 259 will reduce government involvement, shift the authority from the state to local districts, provide a system of accountability for parents, maximize efficiencies in transportation services and foster a cooperative community relationship, while in the end attaining the most important goal -- transporting students to the classroom. I look forward to the debate in the Legislature.

Jim Clark is chief of staff for Gov. Frank Murkowski.

Anchorage School District Transportation Services

3580 East Tudor Road
Anchorage Alaska 99507
Phone: (907) 742-1200
FAX: (907) 742-1222



FACSIMILE COVER SHEET

Date: May 7, 2003
Name: House Finance Committee
FAX (907) 465-6813

Facsimile consists of 2 pages including this cover sheet. If there is any problem with the transmission of this material, please call 907-742-1212.



STOP When The Red Lights Are Flashing

ANCHORAGE SCHOOL DISTRICT
BREAKDOWN OF PUPIL TRANSPORTATION
FOR FY 2001-02

	REGULAR	SPECIAL EDUCATION	TOTAL
DISTRICT OPERATED	\$ 3,500,813.41	\$ 2,245,303.53	\$ 5,746,116.94
CONTRACTED	<u>5,196,669.68</u>	<u>4,139,583.30</u>	<u>9,336,252.98</u>
	<u>\$ 8,697,483.09</u>	<u>\$ 6,384,886.83</u>	<u>\$ 15,082,369.92</u> [1] [2]

[1] Includes In-Lieu-of Transportation

[2] Adjustment of \$118,535.33 which will be paid out of FY2002-03 Allocation.

Anchorage School District Student Transportation

Anchorage School District and our contractor First Student, Inc. currently operate 246 buses on a daily basis. ASD operates approximately one-third of the routes and First Student, Inc. the other two-thirds.

Whom do we transport?

The anchorage School District provides transportation for approximately 18,000 students. 82 % of the students transported live more than 1.5 miles from school.

11 % of the students live in areas deemed hazardous.

5 % are provided transportation in order to receive special education services.

2 % of the students transported attend other programs such as the King Career Center.

How many buses do we operate?

One hundred fifty-four buses (63% of the buses in operation) are used to transport students who live more than 1.5 miles from school or those who live in areas determined to be hazardous. Ninety-five percent of all students transported ride these buses. Ninety-two buses (37% of the fleet) are used to transport students who receive special education services, such as the Alaska State School for the Deaf and Hard of Hearing, pre-school special education, and students with intensive needs. These 92 buses transport five percent of the students who ride the bus to and from school. Thirty-seven percent of the buses in the fleet transport five percent of the students who ride the bus on a daily basis. Federal law requires transportation for students with disabilities.

What does a reduction Pupil Transportation in funding mean to the ASD?

We have two options. We can continue to provide transportation at the same level and cut almost 4 million dollars in services that will most likely impact the classroom. Or, we can reduce the level of school bus service currently provided which means the elimination of bus routes. We are required to provide school bus service for special education students so reductions will have to be made to the 63% of the routes that serve 93% of the students who ride the school bus. Hazardous transportation will be eliminated and walking distances will have to be increased. The impact:

- More students walking to and from school
- Increased risk to students who will be forced to use other modes of transportation
- More parents transporting students and from school creating more congestion on and around school sites
- Increased air quality issues

What has caused increases in the cost of transportation?

During the last decade the cost of student transportation has increased. Many factors have contributed to the increased cost. The following is a list of some of the requirements that have contributed to the increase in our costs:

- Drug & alcohol testing
- Background checks
- Driver turnover
- Added staff positions for recruiting and training due to increased turnover
- 40-Hour School Bus Driver Training Program
- Certified school bus instructors
- First aid & CPR training
- Special education driver and attendant training
- Specialized training to meet individual student needs (medical issues)
- Transportation for pre-school & gifted students
- Increases in the cost of equipment and supplies (buses, fuel, tires etc)
- Minimum wage for school bus drivers
- The cost of Contracted Transportation has more than doubled since the 1990-91 school year.
- Commercial Drivers License (CDL)
- Individuals interested in driving a school bus must now pay approximately \$250 in fees in order to be issued a CDL. The following is a list of the required fees.

Commercial Drivers License permit fee	\$5.00
Background check	\$20.00
School Bus Drivers Physical	\$35.00
Fingerprinting	\$25.00
Commercial Drivers License	\$100.00
DMV Fingerprint processing	\$59.00
Fee for Class "S" endorsement	\$5.00
	<u>\$249.00</u>

The standards for school buses are revised on a national level every five years. Some of the safety equipment that has been added to increase the safety of our students is listed below:

Child safety restraints (Safety vests for all pre-school students under 50 lbs.)	
Automatic chains	Auxiliary heaters
Added emergency exits	Reflective material
Strobe lights	LED stop signs
Automatic transmissions	Video cameras

The cost of a school bus has increased substantially in the last decade. The school bus is still a bargain when compared to the cost of other equipment.

School Bus (81 passenger)	\$ 81,000	
Transit Bus (47 passenger)	\$300,000	
Suburban (9 passengers)	\$ 38,000	
Ambulance	\$162,000	(1-ton a small unit)
Fire Truck	\$770,000	

What have we done to control costs?

- **Reduced wages**
ASD reduced wages for school bus drivers in the mid 80's and implemented a two-tier wage scale. School bus drivers at the top of the pay scale now are paid less than 25 cents an hour more than they were in 1985!
- **Consolidation of Routes**
ASD operated 291 buses during the 1985-86 school year today we operate 246. This is a reduction of over 15%.
- **Routing and Scheduling**
Contractors provided routing and scheduling as part of their service at one time. ASD purchased computerized routing software and brought this routing function in-house. This change resulted in a reduction of over 50 routes.
- **School Start Times**
For many years the Transportation Department has recommended starting times for our school. Starting times are staggered in order to get best utilization of the bus fleet.
- **Larger more fuel efficient school buses**
Beginning in 1989 ASD has increased the capacity of school buses from 66 passenger buses to 72 passenger buses. During the past 10 years the standard bus size was increased to 81-84 passenger units. The increased capacity has allowed ASD to transport more students on fewer buses. Buses are now diesel powered. New buses are twice as fuel-efficient as the gasoline powered buses that they replaced.
- **Life Cycle Costing**
A few years ago life expectancy of a school bus was only 10 years. The district carefully evaluates available options to insure that school buses will be cost effective to operate and maintain. Buses are specified with the most appropriate engine, transmission and other heavy-duty components to insure at least 15 years of low maintenance service.
- **CNG Buses & Air Quality**
The District purchased two Compressed Natural Gas powered buses and fueling capability with grant funds last year. This pilot program will determine if alternative fueled vehicles will be a cost effective alternative to diesel in the long run. We are pursuing grants to purchase additional CNG buses through AMATS and emission control devices through the EPA.
- **Hazardous Transportation Guidelines**
ASD established and has recently revised the criteria used to evaluate areas where parents request transportation for students who live within 1.5 miles from school.
- **Elimination of Hazardous Transportation**
ASD eliminated transportation in several areas of our community over the years as bike paths and sidewalks were constructed.
- **Crossing Guards**
Adult crossing guards are used to assist students in crossing roadways that carry a high volume of traffic. Crossing guards are used rather than providing more costly school bus service.

How safe are school buses?

Yellow school buses are a great American success story with a safety record that is unequalled in the transportation industry. Consider these comparisons per 100,000 passenger miles:

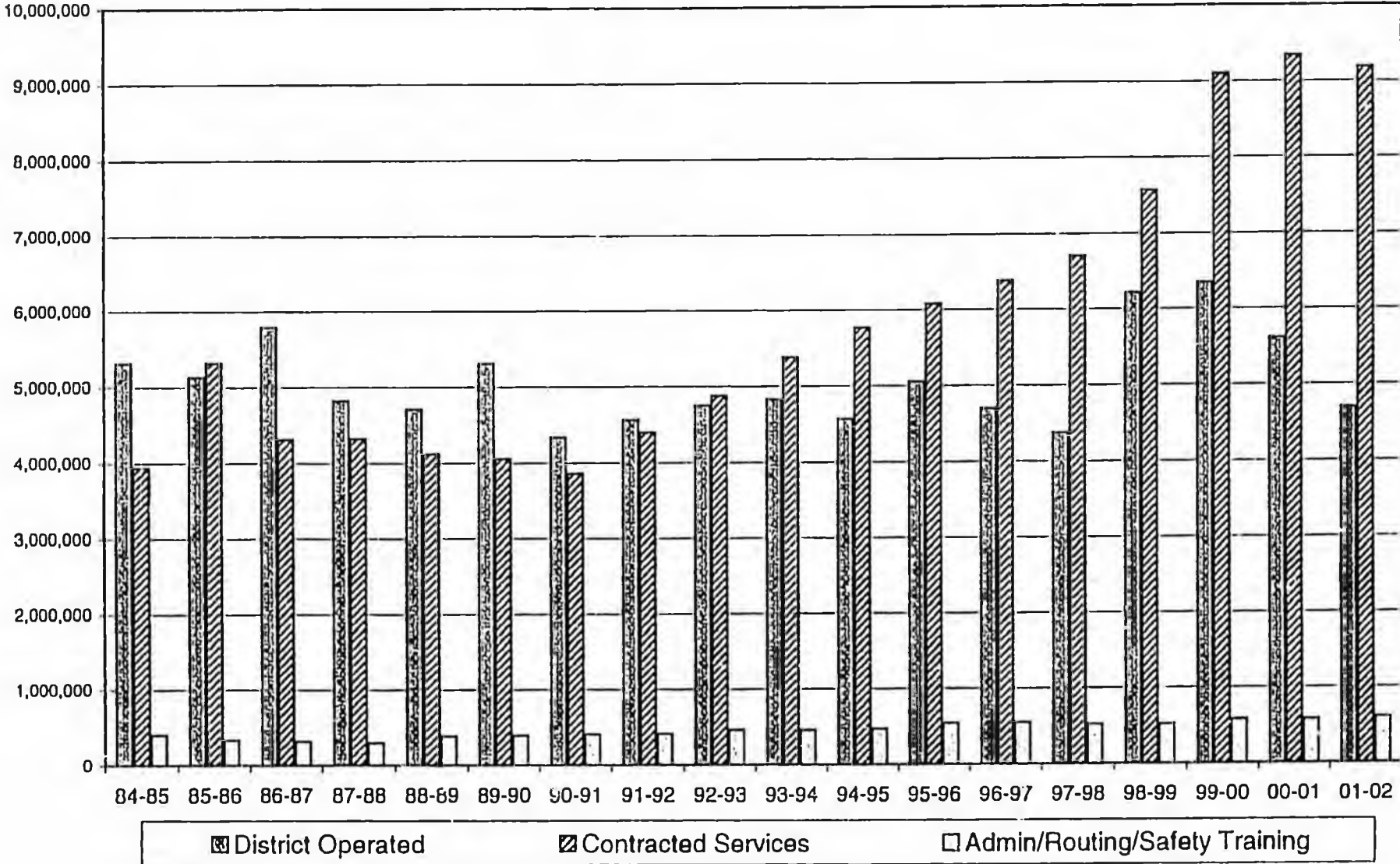
Passenger cars	0.94deaths
Scheduled airlines	0.06deaths
Passenger trains	0.04deaths
School buses	0.01 deaths

Transportation Research Board recently released Special Report 269 "The Relative Risks of School Travel". The report shows that every year, about 800 school-age children are killed in motor vehicle crashes during normal school travel hours (weekday mornings and afternoons during school months) accounting for about 14 percent of the 5,600 child deaths that occur on the nation's roadways. Of these 800 deaths, only about two percent are school-bus related, while 74 percent occur in private passenger vehicles and 22 percent are the result of pedestrian or bicycle accidents. More than half of all deaths of children between age 5 and 18 occur during normal school travel hours when a teenager is driving.

The following table outlines the average annual student injuries and fatalities by mode during normal school travel hours.

<u>Mode</u>	<u>Injuries %</u>	<u>Fatalities%</u>
Passenger vehicle, teen driver	51	55
Passenger vehicle, adult driver	33	20
Walking	6	16
Bicycle	5	6
School Bus	4	2
Other	<1	<1

ASD Bus Operations





Alaska State Legislature

Please enter into the record my testimony to the House Finance
committee name

Committee on HB 259 Pupil Transportation, dated 5-5-03
bill # / subject public hearing date

The Kenai Peninsula Borough School District does not support HB 259. In its current form, the bill does not take into account the distance our buses must travel to reach our students, the increased costs due to inflation, and our increasing special education population that we must, by federal law, transport. For the Kenai Peninsula Borough School District, this bill means fewer and fewer dollars for students in the classroom as each year passes. What the grant does not cover our district must fund.

HB 259 ties transportation funds to student enrollment. Our district is a combination of both urban and rural areas, and the number of our routes is driven not by total student population but by distance and lack of public transportation services. For example, we have two routes that travel 100 plus live miles. Our total student population is declining; however, this decline does not automatically equate to a corresponding decline in the number of bus routes or miles driven.

HB 259 does not allow for adjustments to counter the costs of inflation, a factor which affects our district-operated routes as well as our contracted routes. Bus replacement costs are rising as are fuel and labor expenses. The new state minimum wage for bus drivers is now \$14.30 an hour. Our contract with Laidlaw contains a cost of living clause, and next year our per day rates will increase by 1.9%. To counter these increases, we will lengthen our capital equipment replacement cycle for district-owned buses and eliminate routes in both district and contractor areas. However, we will soon reach a point where basic service and student safety are affected.

HB 259 does not take into account federally mandated special needs transportation. Although total KPBSD student population is decreasing, the number of KPBSD students requiring special needs transportation is increasing. Special needs transportation is very expensive. These students require specialized buses and equipment as well as individualized care during transport. In addition, some of these students live a considerable distance from the nearest program. This adds to the expense of transportation and limits the number of special needs students we can move. This year we will spend approximately 25 percent of our total transportation budget on special needs transport. Next year, we expect a greater percentage of our budget to be spent on these federally mandated services. The more KPBSD spends on special needs services, the less it has to spend on regular education transportation and possibly the classroom.

Page 2 of 2 Spence testimony on HB 259 HFIN 5-5-03

HB 259 does reduce government involvement and shift authority from the state to local districts. However, in its current form the bill will not maximize efficiencies in transportation services as intended because it shifts future transportation cost increases from the state to the districts (some of whom are facing severe budget cuts) with no provision for adjustments. HB 259 could impact education in a way not anticipated: fewer students attending school on a regular basis and less money for the classroom.

The Kenai Peninsula Borough School District does recognize a need to both contain the costs of transportation for all of our state's students as well as bring parity to the system. This proposed legislation is a step in the right direction, however, it needs further development. Our district recommends the establishment of a state-wide task force of individuals most intimately aware of the transportation system. A plan whose consequences have not been well-thought through could potentially create another one-sided venue that rewards inefficiency and punishes those attempting to be financially responsible.

Thank you for your consideration.

Signed: Dave Spence

Testifier

 Kenai Peninsula School District

Representing (optional)

 148 N Binkley Soldotna, AK 99669

Address

 262-5846

Phone number

HB

266

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: HB 266
 (H) Publish Date: 4/14/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An act relating to elections..... BRU Motor Vehicles
 Component Motor Vehicles
 Sponsor _____
 Requester _____ Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2003) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will have no fiscal impact on DMV. DMV already produces a similar database copy of driver license information for the Permanent Fund Division each year. A second copy will be made at the same time for Division of Elections.

Prepared by: Charles R. Hosack Phone 269-5559
 Division: Motor Vehicles Date/Time 4/10/03
 Approved by: Mike Miller, Commissioner Date 4/11/2003
 Agency: Department of Administration

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: HB 266
(H) Publish Date: 4/14/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Office of the Governor
Title "An act relating to elections, questioned ballots and questioned voters, voter registration, training of election.." BRU Elections
Component Elections
Sponsor Rules
Requester Governor Component No. 21

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2003) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The following items are estimated expenditures that the Division will incur as a result of new federal election reform legislation (Help America Vote Act PL 107), reflected by the statutory changes in this bill: Revising forms for provisional and absentee voting and new registration requirements (100.0); computer programming (80.0); estimated toll free access annual costs (2.0) and information access exchange with other state agencies (200.0). These expenditures will be funded through an appropriation in the FY04 capital budget (total capital appropriation request is \$5,000.0 in federal funds).

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

Phone 465-5347
Date/Time 4/11/03 2:53 PM
Date 4/11/2003

FRANK H. MURKOWSKI
GOVERNOR
GOVERNOR@GOV.STATE.AK.US



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

HB 266
P.O. BOX 110001
JUNEAU, ALASKA 99811-0001
(907) 465-3500
FAX (907) 465-3532
WWW.GOV.STATE.AK.US

April 11, 2003

The Honorable Pete Kott
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Kott:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to elections.

This bill would amend the state election code statutes as required to comply with a recently enacted federal law, the "Help America Vote Act of 2002" (HAVA), P.L. 107-252 (H.R. 3295). The HAVA was enacted to improve the states' administration of federal elections after problems with the administration of those elections by certain states was brought to light during the 2000 presidential election. Many of the reforms set out in the HAVA are intended to protect against election fraud and to ensure that the votes of all persons entitled to vote are counted.

All of the states are required to comply with the HAVA, including amending state laws to comply. To comply with the timelines in the HAVA, this bill must be passed by the legislature and enacted into law this year. Upon certification of compliance with the HAVA, each state is eligible to receive various payments from the federal government to use in implementing the requirements of the HAVA. Alaska is projected to receive payments of approximately \$5,000,000 per year for three years to implement the HAVA.

Alaska is fortunate because our modern state election code already includes many of the requirements of the HAVA, such as a statewide voter registration information database and provisional ("questioned") voting. However, the state election code does not contain a few of the measures required by the HAVA -- this bill would make the necessary amendments. A detailed description of those amendments follows.

The Honorable Pete Kott
April 11, 2003
Page 2

First, all sections in the election code that refer to "questioned ballots" would be amended to refer to "provisional ballots." The two terms are synonymous, but the change would conform to the HAVA's use of the term "provisional" ballots.

In sec. 2 of the bill, AS 15.07.055 would be amended to add a new subsection to require the director of elections to enter into an agreement with the Department of Administration, for motor vehicle information, and the Department of Revenue, for permanent fund dividend information, to match information with the division of elections (division) for first-time voter registrants who are registering by mail, facsimile, or other electronic transmission. This amendment is required by sec. 303(b)(3)(B)(ii) of the HAVA.

Sections 3 and 6 of the bill would amend AS 15.07.060 to require that applicants for voter registration supply certain additional information -- an Alaska driver's license or identification card number, or the last four digits of the applicant's social security number, if any of those numbers have been issued to the applicant. Under the bill, an applicant also would have to provide his or her date of birth. Persons who apply for registration for the first time by mail also would have to provide one of the identifying numbers, and date of birth, that can be verified through state agency records described in sec. 2 of the bill. If such an applicant has not been issued any of the identifying numbers, the applicant may alternatively submit a copy of a photo identification. For any applicant for voter registration who has not been issued any of the required identifying numbers, the division would issue to the applicant a unique identifying number. These amendments are required by secs. 303(a)(5)(A)(i) and (ii), 303(a)(5)(B)(i), 303(b)(4)(A), and 303(b)(4)(B) of the HAVA.

The changes made by sec. 7 of the bill relate to procedures for providing a voter registration card to a voter who registers by mail, facsimile, or other electronic transmission, and are to conform to the HAVA's identification requirements for such voters.

Section 9 of the bill would amend AS 15.07.070(h) to require voter registration proof of identification information on the voter's certificate for voting an absentee in-person ballot. This amendment is required by sec. 303(b) of the HAVA.

The Honorable Pete Kott
April 11, 2003
Page 3

Section 13 of the bill would amend AS 15.15.040 to require that certain information be available at polling places, such as how to cast a provisional ballot, instructions for first-time voters, prohibitions on fraud, and how to report violations. This amendment is required by sec. 302(b)(2) of the HAVA.

Section 14 of the bill would amend AS 15.15.198 to require that a voter who casts a provisional ballot receive information on whether the ballot was counted. This amendment is required by sec. 302 of the HAVA.

Section 16 of the bill would amend AS 15.15.225 to specify the forms of identification that a voter must exhibit at the polls before voting. These amendments are required by secs. 303(b)(1) and 303(b)(2)(A)(i) and (ii) of the HAVA.

Section 18 of the bill would amend AS 15.15.360(a) on the rules for counting ballots, to provide a uniform definition of what constitutes a vote as required by sec. 302(a)(6) of the HAVA.

Section 21 of the bill would amend AS 15.20.081(f) to require that first-time voters who initially registered by mail, facsimile, or other electronic transmission and who are voting absentee by mail, must provide certain identifying information if they have not already provided identifying information specified by AS 15.07.060. Section 21 also would make it mandatory, rather than discretionary, that the director of elections, by regulation, require proof of identification for any voter who votes absentee by mail - - existing regulations already provide for that identification requirement. These amendments are required by sec. 303(b)(2)(A)(ii) of the HAVA.

Section 22 of the bill would amend AS 15.20.081 to add a new subsec. (i) to allow the absentee ballot applications of absent uniformed services voters and absent overseas voters to be valid through the next two federal elections. This amendment is required by sec. 704 of the HAVA.

Section 25 of the bill would amend AS 15.20.203(b) to specify that the absentee ballot of a first-time voter who registered by mail, facsimile, or other electronic transmission will not be counted if the proper identification has not been provided. This amendment is required by sec. 302(b)(2) of the HAVA.

The Honorable Pete Kott

April 11, 2003

Page 4

Section 26 of the bill would repeal and reenact AS 15.20.203(h) to provide for a free access system for absentee voters to use to determine whether their ballot was counted. An example of a free access system is a toll-free phone number for voters to call. The free access system would replace the current system of mailing individual notice to voters. This change is required by sec. 302(b)(2) of the HAVA.

Section 29 of the bill would amend AS 15.20.207(b) to specify that the provisional ballot of a first-time voter who registered by mail, facsimile, or other electronic transmission will not be counted if the proper identification has not been provided. This amendment is required by secs. 302(a)(5)(A), 303(b)(1), 303(b)(2)(A)(i) and (ii), and 303(b)(3)(B) of the HAVA.

Section 35 of the bill would repeal and reenact AS 15.20.207(h) to require a free access system, as described above, for voters to use to determine whether their provisional ballot was counted. This change is required by sec. 302(a)(5)(B) of the HAVA.


Section 41 of the bill would repeal statutes that are no longer necessary due to the changes described above.

Other changes proposed in the bill are not required by the HAVA. Section 4 of the bill would make "housekeeping" changes to AS 15.07.060(b) regarding voter registration or identification cards from another jurisdiction. Section 5 of the bill would amend AS 15.07.060(c) to allow for additional acceptable forms of identification for in-person voter registration. Section 8 of the bill would make "housekeeping" changes to AS 15.07.070(d). Section 12 of the bill would amend AS 15.10.107 to update the statute and reflect current division practices. Section 16 of the bill includes the repeal of language allowing additional forms of voter identification to be prescribed by regulation. Section 23 of the bill would amend AS 15.20.082(a), regarding special absentee ballots, to expand the group eligible to use these ballots to include persons in remote areas of Alaska; this change would duplicate the changes proposed by SB 24, introduced on January 23, 2003. Sections 25 and 29 of the bill would amend AS 15.20.203(b) and 15.20.207(b), respectively, to specify that absentee in-person ballots and provisional ballots will not be counted if the voter has not provided the proper identification and was not personally known by the election official. Sections 38 - 40 of the bill would amend statutes regarding the primary election by replacing the terms "nonpartisan" and "undeclared" with the term "unaffiliated" in identifying voters who are not affiliated with a political party, to streamline references to such voters.

The Honorable Pete Kott
April 11, 2003
Page 5

This bill must be enacted this year in order to comply with the timelines for various requirements set out in the HAVA. Therefore, I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank H. Murkowski".

Frank H. Murkowski
Governor

THE
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DOCUMENT(S)
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23-GH1133S
Kurtz
4/29/03

Adopted

CS FOR HOUSE BILL NO. 266(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to questioned ballots and questioned voters, voter registration, training
2 of election officials, preparation of election materials, provision of election materials,
3 forms, and supplies for polling places, voter identification, absentee voting, and counting
4 ballots; and providing for an effective date."

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

6 * Section 1. AS 15.07.055 is amended by adding a new subsection to read:

7 (e) The director shall enter into an agreement with the Department of
8 Administration and the Department of Revenue to match identifying information
9 provided by a voter who initially registers by mail or by facsimile or other electronic
10 transmission approved by the director under AS 15.07.050 with existing identification
11 records

12 (1) maintained by the administrative component of the Department of
13 Administration that administers motor vehicle and driver's license laws and by the
14 administrative component of the Department of Revenue that administers the

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23-GH1133\S

1 permanent fund dividend laws; and
 2 (2) bearing the same identifying number, name, and date of birth
 3 provided on the registration.

4 * Sec. 2. AS 15.07.060(a) is amended to read:

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

7 (1) name and sex;

8 (2) if issued, the applicant's State of Alaska driver's license
 9 number or State of Alaska identification card number, or the last four digits of
 10 the applicant's social security number;

11 (3) date of birth;

12 (4) address and other necessary information establishing residence,
 13 including the term of residence in the state and in the district, if requested;

14 (5) [(3)] whether the applicant has previously been registered to vote in
 15 another jurisdiction, and, if so, the jurisdiction and the address of the previous
 16 registration;

17 (6) [(4)] a declaration that the registrant will be 18 years of age or
 18 older within 90 days of the date of registration;

19 (7) [(5)] a declaration that the registrant is a citizen of the United
 20 States;

21 (8) [(6)] date of application;

22 (9) [(7)] signature or mark;

23 (10) [(8)] any former name under which the applicant was registered to
 24 vote in the state;

25 (11) [(9)] an attestation that the information provided by the applicant
 26 in (1) - (10) [(1) - (8)] of this subsection is true; and

27 (12) [(10)] a certification that the applicant understands that a false
 28 statement on the application may make the applicant subject to prosecution for a
 29 misdemeanor under this title or AS 11.

30 * Sec. 3. AS 15.07.060(b) is amended to read:

31 (b) If the applicant has been previously registered to vote in another

WORK DRAFT

WORK DRAFT

23-GH1133S

1 jurisdiction, the [APPLICANT SHALL SURRENDER TO THE REGISTRATION
 2 OFFICIAL ANY VOTER REGISTRATION OR IDENTIFICATION CARD OR
 3 CREDENTIALS FROM THAT JURISDICTION THE APPLICANT MAY
 4 POSSESS. THE] director shall notify the chief elections officer in that jurisdiction
 5 that the applicant has registered to vote in Alaska and [,] request that that jurisdiction
 6 [TO] cancel the applicant's voter registration there [, AND RETURN THE
 7 APPLICANT'S VOTER REGISTRATION OR IDENTIFICATION CARD OR
 8 CREDENTIALS, IF ANY, TO THAT JURISDICTION].

9 * Sec. 4. AS 15.07.060(c) is amended to read:

10 (c) Each applicant who requests [IF APPLICATION FOR] registration [IS
 11 MADE] in person before a registration official [, THE APPLICANT] shall exhibit one
 12 form of identification to the official, including [BUT NOT LIMITED TO] a driver's
 13 license, state identification card, current and valid photo identification, birth
 14 certificate, passport, or hunting or fishing license. A registration official who knows
 15 the identity of the applicant may waive the identification requirement.

16 * Sec. 5. AS 15.07.060 is amended by adding new subsections to read:

17 (e) For an applicant requesting initial registration by mail or by facsimile or
 18 other electronic transmission approved by the director under AS 15.07.050, the
 19 director shall verify the information provided in compliance with (a)(2) and (3) of this
 20 section through state agency records described in AS 15.07.055(e). If the applicant
 21 cannot comply with the requirement of (a)(2) of this section because the applicant has
 22 not been issued any of the listed numbers, the applicant may instead submit a copy of
 23 one of the following forms of identification: a driver's license, state identification
 24 card, current and valid photo identification, birth certificate, passport, or hunting or
 25 fishing license.

26 (f) If an applicant who requests registration cannot comply with the
 27 requirement of (a)(2) of this section because the applicant has not been issued any of
 28 the listed numbers, the division shall assign the applicant a unique identifying number.

29 * Sec. 6. AS 15.07.070(b) is amended to read:

30 (b) To register by mail or by facsimile or other electronic transmission
 31 approved by the director under AS 15.07.050, the director, the area election

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1 supervisor, or a voter registration agency shall furnish, at no cost to the voter, forms
2 prepared by the director or which the registration information required under
3 AS 15.07.060 shall be inserted by the voter, or by a person on behalf of the voter if the
4 voter is physically incapacitated. The director may require proof of identification of
5 the applicant as required by regulations adopted by the director under AS 44.62
6 (Administrative Procedure Act). Upon receipt and approval of the completed
7 registration forms the director or the election supervisor shall forward to the voter an
8 acknowledgment [IN THE FORM OF A REGISTRATION CARD,] and the voter's
9 name shall immediately be placed on the master register [LOCATED IN THE
10 OFFICE OF THE DIRECTOR AND ON THE DISTRICT REGISTER LOCATED IN
11 THE OFFICE OF THE ELECTION SUPERVISOR]. If the registration is denied, the
12 voter shall immediately be informed in writing that registration was denied and the
13 reason for denial. When identifying information has been provided by the voter as
14 required by this chapter, the election supervisor shall forward to the voter a
15 registration card.

16 * Sec. 7. AS 15.07.070(d) is amended to read:

17 (d) Qualified voters may register in person before a registration official or
18 through a voter registration agency at any time throughout the year, except that a
19 person registering within 30 days preceding an election is not eligible to [MAY NOT]
20 vote at that election. Upon receipt and approval of the registration forms, the director
21 or the election supervisor shall forward to the voter an acknowledgment in the form of
22 a registration card, and the voter's name shall immediately be placed on the master
23 register [LOCATED IN THE OFFICE OF THE DIRECTOR AND ON THE
24 DISTRICT REGISTER LOCATED IN THE OFFICE OF THE ELECTION
25 SUPERVISOR]. Names of persons registering 30 or more days before an election
26 shall be placed on the official registration list for that election.

27 * Sec. 8. AS 15.07.070(h) is amended to read:

28 (h) The director shall design the form of the voter's certificate appearing on
29 the envelope that is used for voting an absentee in-person or [A] questioned ballot so
30 that all information required for registration by AS 15.07.060(a) may be obtained from
31 a voter who votes an absentee in-person or [A] questioned ballot. If the voter voting

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1 an absentee in-person or [A] questioned ballot has completed all information on the
2 voter registration portion of the absentee in-person or questioned ballot voter's
3 certificate, the director shall place the name of the voter on the official registration list.

4 * Sec. 9. AS 15.10.107 is amended to read:

5 **Sec. 15.10.107. Staff training.** The director shall, before each primary
6 election in even-numbered years, provide for a comprehensive training program for
7 election officials, both the full-time members of the staff of the division of elections
8 and those who are appointed as members of election boards under AS 15.10.120 -
9 15.10.140 and other temporary election employees. The director shall [ANNUALLY]
10 prepare and, not later than March 1 [JANUARY 10], file with the lieutenant governor
11 a plan that describes the comprehensive training program for election officials to be
12 provided to those officials during that calendar year.

13 * Sec. 10. AS 15.15.040 is amended by adding a new subsection to read:

14 (c) The director shall provide materials, forms, and supplies for each polling
15 place, including information regarding the date of the election and hours the polling
16 place will be open, instructions on how to cast a questioned ballot, instructions for
17 first-time voters who initially registered by mail, general information on voting rights,
18 prohibitions on acts of fraud and misrepresentation, and whom to contact to report
19 violations.

20 * Sec. 11. AS 15.15.198(a) is amended to read:

21 (a) If a voter's name does not appear on the official registration list in the
22 precinct in which the voter seeks to vote, the election official shall affirmatively
23 advise the voter that the voter may cast a questioned ballot, and the voter shall be
24 allowed to vote a questioned ballot. At the time the voter casts a questioned ballot,
25 the voter shall be given written information stating that the voter will be able to
26 ascertain whether the ballot was counted and, if not counted, the reason the
27 ballot was not counted.

28 * Sec. 12. AS 15.15.225(a) is amended to read:

29 (a) Before being allowed to vote, each voter shall exhibit to an election official
30 one form of identification, including

31 (1) an official voter registration card, driver's license, state

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1 identification card, current and valid photo identification, birth certificate,
 2 passport, or hunting or fishing license; or
 3 (2) an original or a copy of a current utility bill, bank statement,
 4 paycheck, government check, or other government document; an item exhibited
 5 under this paragraph must show the name and current address of the voter [OR
 6 OTHER FORM OF IDENTIFICATION AS PRESCRIBED BY REGULATION].

7 * Sec. 13. AS 15.15.225(b) is amended to read:

8 (b) An election official may waive the identification requirement if the
 9 election official knows the identity of the voter. The identification requirement may
 10 not be waived for voters who are first-time voters who initially registered by mail
 11 or by facsimile or other electronic transmission approved by the director under
 12 AS 15.07.050, and did not provide identification as required in AS 15.07.060.

13 * Sec. 14. AS 15.15.360(a) is amended to read:

14 (a) The election board shall count ballots [IN HAND-COUNT PRECINCTS]
 15 according to the following rules:

16 (1) A voter may mark a ballot only by filling in, making "X" marks,
 17 diagonal, horizontal, or vertical marks, solid marks, stars, circles, asterisks, checks, or
 18 plus signs that are clearly spaced in the oval opposite the name of the candidate,
 19 proposition, or question that the voter desires to designate.

20 (2) A failure to properly mark a ballot as to one or more candidates
 21 does not itself invalidate the entire ballot.

22 (3) If a voter marks fewer names than there are persons to be elected to
 23 the office, a vote shall be counted for each candidate properly marked.

24 (4) If a voter marks more names than there are persons to be elected to
 25 the office, the votes for candidates for that office may not be counted.

26 (5) The mark specified in (1) of this subsection shall be counted only if
 27 it is substantially inside the oval provided, or touching the oval so as to indicate
 28 clearly that the voter intended the particular oval to be designated.

29 (6) Improper marks on the ballot may not be counted and do not
 30 invalidate marks for candidates properly made.

31 (7) An erasure or correction invalidates only that section of the ballot

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1 in which it appears.

2 (8) A vote marked for the candidate for President or Vice-President of
3 the United States is considered and counted as a vote for the election of the
4 presidential electors.

5 (9) Write-in votes are not invalidated by writing in the name of a
6 candidate whose name is printed on the ballot unless the election board determines, on
7 the basis of other evidence, that the ballot was so marked for the purpose of
8 identifying the ballot.

9 (10) In order to vote for a write-in candidate, the voter must write in
10 the candidate's name in the space provided and fill in the oval opposite the candidate's
11 name in accordance with (1) of this subsection.

12 (11) A vote for a write-in candidate, other than a write-in vote for
13 governor and lieutenant governor, shall be counted if the oval is filled in for that
14 candidate and if the name, as it appears on the write-in declaration of candidacy, of the
15 candidate or the last name of the candidate is written in the space provided.

16 (12) If the write-in vote is for governor and lieutenant governor, the
17 vote shall be counted if the oval is filled in and the names, as they appear on the write-
18 in declaration of candidacy, of the candidates for governor and lieutenant governor or
19 the last names of the candidates for governor and lieutenant governor, or the name, as
20 it appears on the write-in declaration of candidacy, of the candidate for governor or the
21 last name of the candidate for governor is written in the space provided.

22 * Sec. 15. AS 15.20.081(f) is amended to read:

23 (f) The director ~~shall~~ [MAY] require a voter casting an absentee ballot by mail
24 to provide proof of identification or other information to aid in the establishment of
25 the voter's identity as prescribed by regulations adopted under AS 44.62 ([THE]
26 Administrative Procedure Act), If the voter is a first-time voter who initially
27 registered by mail or by facsimile or other electronic transmission approved by
28 the director under AS 15.07.050 and has not met the identification requirements
29 set out in AS 15.07.060, the voter must provide one of the following forms of
30 proof of identification:

31 (1) a copy of a driver's license, state identification card, current

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1 and valid photo identification, birth certificate, passport, or hunting or fishing
 2 license; or

3 (2) a copy of a current utility bill, bank statement, paycheck,
 4 government check, or other government document; an item provided under this
 5 paragraph must show the name and current address of the voter [(AS 44.62)].

6 * Sec. 16. AS 15.20.081 is amended by adding a new subsection to read:

7 (i) An absentee ballot application submitted by an absent uniformed services
 8 voter or by an absent overseas voter qualifying under AS 15.05.011 is valid through
 9 the next two regularly scheduled general elections for federal office after the date the
 10 application is submitted. In this subsection, "absent uniformed services voter" has the
 11 meaning given in 42 U.S.C. 1973ff-6.

12 * Sec. 17. AS 15.20.082(a) is amended to read:

13 (a) The director shall prepare special absentee ballots under this section for
 14 use in a state primary election, a state general election, and a state special election
 15 when the voter notifies the director in writing that the voter expects to be living,
 16 working, or traveling outside the United States at the time of the election, or in a
 17 remote area of the state where distance, terrain, or other natural conditions deny
 18 the voter reasonable access to a polling place at the time of the election. The
 19 director shall prepare the ballot so that it may be sent to the absentee voter 60 days
 20 before the date of the election. The director shall list on the ballot the different races
 21 to be voted on at the particular election on a statewide basis, and, if the director
 22 prepares the ballot without the names of candidates printed on the ballot, the director
 23 shall provide the voter with information described in (c) of this section.

24 * Sec. 18. AS 15.20.203(b) is amended to read:

25 (b) An absentee ballot may not be counted if
 26 (1) the voter has failed to properly execute the certificate;
 27 (2) an official or the witnesses authorized by law to attest the voter's
 28 certificate fail to execute the certificate, except that an absentee ballot cast in person
 29 and accepted by an absentee voting official or election supervisor may be counted
 30 despite failure of the absentee voting official or election supervisor to properly sign
 31 and date the voter's certificate as attesting official as required under AS 15.20.061(c);

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- 1 (3) the ballot is not attested on or before the date of the election;
- 2 (4) the ballot, if postmarked, is not postmarked on or before the date of
- 3 the election; [OR]
- 4 (5) after the day of election, the ballot was delivered by a means other
- 5 than mail; or
- 6 (6) the voter voted
- 7 (A) in person and is a
- 8 (i) first-time voter who initially registered by mail or
- 9 by facsimile or other electronic transmission approved by the
- 10 director under AS 15.07.050, has not provided the identification
- 11 required by AS 15.15.225(a), was not eligible for waiver of the
- 12 identification requirement under AS 15.15.225(b), and has not
- 13 provided the identifiers required in AS 15.07.060(a)(2) and (3) that
- 14 can be verified through state agency records described in
- 15 AS 15.07.055(e); or
- 16 (ii) voter other than one described in (i) of this
- 17 subparagraph, did not provide identification described in
- 18 AS 15.15.225(a), was not personally known by the election official,
- 19 and has not provided the identifiers required in AS 15.07.060(a)(2)
- 20 and (3); or
- 21 (B) by mail or electronic transmission, is a first-time voter
- 22 who initially registered by mail or by facsimile or other electronic
- 23 transmission approved by the director under AS 15.07.050 to vote, has not
- 24 met the identification requirements set out in AS 15.07.060, and does not
- 25 submit with the ballot a copy of a
- 26 (i) driver's license, state identification card, current
- 27 and valid photo identification, birth certificate, passport, or
- 28 hunting or fishing license; or
- 29 (ii) current utility bill, bank statement, paycheck,
- 30 government check, or other government document; an item
- 31 described in this sub-subparagraph must show the name and

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current address of the voter.

* Sec. 19. AS 15.20.203 is amended by adding a new subsection to read:

(j) The director shall make available through a free access system to each absentee voter a system to check to see whether the voter's ballot was counted and, if not counted, the reason why the ballot was not counted. The director shall make this information available through the free access system not less than 10 days after certification of the results of a primary election and not less than 30 days after certification of the results of a general or special election.

* Sec. 20. AS 15.20.207(b) is amended to read:

(b) A questioned ballot may not be counted if the voter

(1) has failed to properly execute the certificate;

(2) is a first-time voter who initially registered by mail or by facsimile or other electronic transmission approved by the director under AS 15.07.050. has not provided the identification required by AS 15.15.225(a), was not eligible for waiver of the identification requirement under AS 15.15.225(b), and has not provided the identifiers required in AS 15.07.060(a)(2) and (3) that can be verified through state agency records described in AS 15.07.055(e); or

(3) is a voter other than one described in (2) of this subsection, did not provide identification described in AS 15.15.225(a), was not personally known by the election official, and has not provided the identifiers required in AS 15.07.060(a)(2) and (3).

* Sec. 21. AS 15.20.207 is amended by adding a new subsection to read:

(k) The director shall make available through a free access system to each voter voting a questioned ballot a system to check to see whether the voter's ballot was counted and, if not counted, the reason why the ballot was not counted. The director shall make this information available through the free access system not less than 10 days after certification of the results of a primary election and not less than 30 days after the certification of the results of a general or special election.

* Sec. 22. AS 15.20.211 is amended by adding a new subsection to read:

(f) The director shall make available through a free access system to each

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1 voter whose ballot was subject to partial counting under this section a system to check
2 to see whether the voter's ballot was partially counted and, if not counted, the reason
3 why the ballot was not counted. The director shall make this information available
4 through the free access system not less than 10 days after certification of the results of
5 a primary election and not less than 30 days after the certification of the results of a
6 general or special election.

7 * Sec. 23. AS 15.20.480 is amended to read:

8 **Sec. 15.20.480. Procedure for recount.** In conducting the recount, the
9 director shall review all ballots, whether the ballots were counted at the precinct or by
10 computer or by the district absentee counting board or the questioned ballot counting
11 board, to determine which ballots, or part of ballots, were properly marked and which
12 ballots are to be counted in the recount, and shall check the accuracy of the original
13 count, the precinct certificate, and the review. The director shall count absentee
14 ballots received before the completion of the recount. For administrative purposes, the
15 director may join and include two or more applications in a single review and count of
16 votes. The rules in AS 15.15.360 governing the counting of ballots [IN HAND-
17 COUNT PRECINCTS] shall be followed in the recount when a ballot is challenged on
18 the basis of a question regarding the voter's intent to vote for the candidate,
19 proposition, or question. The ballots and other election material must remain in the
20 custody of the director during the recount, and the highest degree of care shall be
21 exercised to protect the ballots against alteration or mutilation. The recount shall be
22 completed within 10 days. The director may employ additional personnel necessary to
23 assist in the recount.

24 * Sec. 24. AS 15.15.360(c) is repealed.

25 * Sec. 25. This Act takes effect immediately under AS 01.10.070(c).

STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

OFFICE OF THE LT. GOVERNOR

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

CS HB 266 (STA)

"An Act relating to elections, questioned ballots and questioned voters, voter registration, training of election officials, preparation of election materials, voter identification, absentee voting, counting ballots, and the primary election; and providing for an effective date."

In October 2002, President Bush signed the "Help America Vote Act," (H.R. 3295) into law (P.L. 107-252). HAVA is the result of a bipartisan effort in Congress to make sweeping changes to federal election laws to improve the overall administration of elections, increase accessibility to those with disabilities, and also to prevent voter fraud.

Many changes required under HAVA do not require amending Alaska statute, but HB 266 includes those necessary to meet federal mandates. Changes recommended in the bill before you follow the intent of the federal law and do not place unnecessary burdens on the voter. It is imperative that these changes mandated by federal law are passed by the Legislature this year.

HB 266 also includes changes the Division recommends. The Division supports the language recommended in Senator Lincoln's SB 24, and it has been included in this bill with her permission. Other changes regarding returning identification/voter cards to other jurisdictions, reference to a "master list," and adding types of information that can be provided by the voter when registering in person are requested by the Division in this bill.

Perhaps the most significant change NOT mandated by the federal act, but recommended in this bill is replacing the terms "non partisan" and "undeclared" with the term "unaffiliated." Many voters do not know the difference between the two classifications and make numerous party affiliation changes between the "non partisan" and "undeclared." This would eliminate confusion on the part of the voter, while not affecting their access to the ballot.

The House State Affairs Committee removed the language suggested by the Division changing the term "questioned ballots" to "provisional ballots." The federal law refers to "provisional voting," (which Alaskans refer to as "questioned voting") and the Division

originally recommended changing the references in statute to conform to the federal language.

The State Affairs Committee also restored references to the Division sending voters letters regarding the status of their absentee, questioned, or partially counted ballot in addition to the "free access system" required in HAVA.

The Division of Elections asks for your support of House Bill 266.

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 266
 (H) Publish Date: 4/14/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Office of the Governor
 Title "An act relating to elections, questioned ballots BRU Elections
 and questioned voters, voter registration, training of election.." Component Elections
 Sponsor Rules
 Requester Governor Component No. 21

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2003) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The following items are estimated expenditures that the Division will incur as a result of new federal election reform legislation (Help America Vote Act PL 107), reflected by the statutory changes in this bill: Revising forms for provisional and absentee voting and new registration requirements (100.0); computer programming (80.0); estimated toll free access annual costs (2.0) and information access exchange with other state agencies (200.0). These expenditures will be funded through an appropriation in the FY04 capital budget (total capital appropriation request is \$5,000.0 in federal funds).

Prepared by: Lauri Allred Phone 465-5347
 Division: Division of Elections Date/Time 4/11/03 2 53 PM
 Approved by: Laura A. Glaiser, Director/LJP Date 4/11/2003
 Agency: Office of the Lieutenant Governor, Division of Elections

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: HB 266
(H) Publish Date: 4/14/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title An act relating to elections..... BRU Motor Vehicles
Component Motor Vehicles
Sponsor _____
Requester _____ Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2005) cost: 0.0
Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will have no fiscal impact on DMV. DMV already produces a similar database copy of driver license information for the Permanent Fund Division each year. A second copy will be made at the same time for Division of Elections.

Prepared by: Charles R. Hosack Phone 269-5559
Division Motor Vehicles Date/Time 4/10/03
Approved by: Mike Miller, Commissioner Date 4/11/2003
Agency Department of Administration

FRANK H. MURKOWSKI
GOVERNOR
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STATE OF ALASKA
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HB 266
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April 11, 2003

The Honorable Pete Kott
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Kott:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to elections.

This bill would amend the state election code statutes as required to comply with a recently enacted federal law, the "Help America Vote Act of 2002" (HAVA), P.L. 107-252 (H.R. 3295). The HAVA was enacted to improve the states' administration of federal elections after problems with the administration of those elections by certain states was brought to light during the 2000 presidential election. Many of the reforms set out in the HAVA are intended to protect against election fraud and to ensure that the votes of all persons entitled to vote are counted.

All of the states are required to comply with the HAVA, including amending state laws to comply. To comply with the timelines in the HAVA, this bill must be passed by the legislature and enacted into law this year. Upon certification of compliance with the HAVA, each state is eligible to receive various payments from the federal government to use in implementing the requirements of the HAVA. Alaska is projected to receive payments of approximately \$5,000,000 per year for three years to implement the HAVA.

Alaska is fortunate because our modern state election code already includes many of the requirements of the HAVA, such as a statewide voter registration information database and provisional ("questioned") voting. However, the state election code does not contain a few of the measures required by the HAVA -- this bill would make the necessary amendments. A detailed description of those amendments follows.

The Honorable Pete Kott
April 11, 2003
Page 2

First, all sections in the election code that refer to "questioned ballots" would be amended to refer to "provisional ballots." The two terms are synonymous, but the change would conform to the HAVA's use of the term "provisional" ballots.

In sec. 2 of the bill, AS 15.07.055 would be amended to add a new subsection to require the director of elections to enter into an agreement with the Department of Administration, for motor vehicle information, and the Department of Revenue, for permanent fund dividend information, to match information with the division of elections (division) for first-time voter registrants who are registering by mail, facsimile, or other electronic transmission. This amendment is required by sec. 303(b)(3)(B)(ii) of the HAVA.

Sections 3 and 6 of the bill would amend AS 15.07.060 to require that applicants for voter registration supply certain additional information -- an Alaska driver's license or identification card number, or the last four digits of the applicant's social security number, if any of those numbers have been issued to the applicant. Under the bill, an applicant also would have to provide his or her date of birth. Persons who apply for registration for the first time by mail also would have to provide one of the identifying numbers, and date of birth, that can be verified through state agency records described in sec. 2 of the bill. If such an applicant has not been issued any of the identifying numbers, the applicant may alternatively submit a copy of a photo identification. For any applicant for voter registration who has not been issued any of the required identifying numbers, the division would issue to the applicant a unique identifying number. These amendments are required by secs. 303(a)(5)(A)(i) and (ii), 303(a)(5)(B)(i), 303(b)(4)(A), and 303(b)(4)(B) of the HAVA.

The changes made by sec. 7 of the bill relate to procedures for providing a voter registration card to a voter who registers by mail, facsimile, or other electronic transmission, and are to conform to the HAVA's identification requirements for such voters.

Section 9 of the bill would amend AS 15.07.070(h) to require voter registration proof of identification information on the voter's certificate for voting an absentee in-person ballot. This amendment is required by sec. 303(b) of the HAVA.

The Honorable Pete Kott
April 11, 2003
Page 3

Section 13 of the bill would amend AS 15.15.040 to require that certain information be available at polling places, such as how to cast a provisional ballot, instructions for first-time voters, prohibitions on fraud, and how to report violations. This amendment is required by sec. 302(b)(2) of the HAVA.

Section 14 of the bill would amend AS 15.15.198 to require that a voter who casts a provisional ballot receive information on whether the ballot was counted. This amendment is required by sec. 302 of the HAVA.

Section 16 of the bill would amend AS 15.15.225 to specify the forms of identification that a voter must exhibit at the polls before voting. These amendments are required by secs. 303(b)(1) and 303(b)(2)(A)(i) and (ii) of the HAVA.

Section 18 of the bill would amend AS 15.15.360(a) on the rules for counting ballots, to provide a uniform definition of what constitutes a vote as required by sec. 302(a)(6) of the HAVA.

Section 21 of the bill would amend AS 15.20.081(f) to require that first-time voters who initially registered by mail, facsimile, or other electronic transmission and who are voting absentee by mail, must provide certain identifying information if they have not already provided identifying information specified by AS 15.07.060. Section 21 also would make it mandatory, rather than discretionary, that the director of elections, by regulation, require proof of identification for any voter who votes absentee by mail - - existing regulations already provide for that identification requirement. These amendments are required by sec. 303(b)(2)(A)(ii) of the HAVA.

Section 22 of the bill would amend AS 15.20.081 to add a new subsec. (i) to allow the absentee ballot applications of absent uniformed services voters and absent overseas voters to be valid through the next two federal elections. This amendment is required by sec. 704 of the HAVA.

Section 25 of the bill would amend AS 15.20.203(b) to specify that the absentee ballot of a first-time voter who registered by mail, facsimile, or other electronic transmission will not be counted if the proper identification has not been provided. This amendment is required by sec. 302(b)(2) of the HAVA.

The Honorable Pete Kott
April 11, 2003
Page 4

Section 26 of the bill would repeal and reenact AS 15.20.203(h) to provide for a free access system for absentee voters to use to determine whether their ballot was counted. An example of a free access system is a toll-free phone number for voters to call. The free access system would replace the current system of mailing individual notice to voters. This change is required by sec. 302(b)(2) of the HAVA.

Section 29 of the bill would amend AS 15.20.207(b) to specify that the provisional ballot of a first-time voter who registered by mail, facsimile, or other electronic transmission will not be counted if the proper identification has not been provided. This amendment is required by secs. 302(e)(5)(A), 303(b)(1), 303(b)(2)(A)(i) and (ii), and 303(b)(3)(B) of the HAVA.

Section 35 of the bill would repeal and reenact AS 15.20.207(h) to require a free access system, as described above, for voters to use to determine whether their provisional ballot was counted. This change is required by sec. 302(a)(5)(B) of the HAVA.

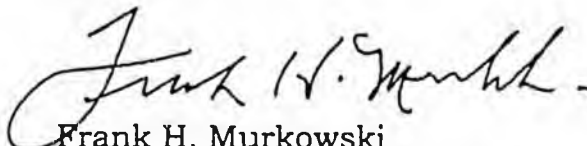
Section 41 of the bill would repeal statutes that are no longer necessary due to the changes described above.

Other changes proposed in the bill are not required by the HAVA. Section 4 of the bill would make "housekeeping" changes to AS 15.07.060(b) regarding voter registration or identification cards from another jurisdiction. Section 5 of the bill would amend AS 15.07.060(c) to allow for additional acceptable forms of identification for in-person voter registration. Section 8 of the bill would make "housekeeping" changes to AS 15.07.070(d). Section 12 of the bill would amend AS 15.10.107 to update the statute and reflect current division practices. Section 16 of the bill includes the repeal of language allowing additional forms of voter identification to be prescribed by regulation. Section 23 of the bill would amend AS 15.20.082(a), regarding special absentee ballots, to expand the group eligible to use these ballots to include persons in remote areas of Alaska; this change would duplicate the changes proposed by SB 24, introduced on January 23, 2003. Sections 25 and 29 of the bill would amend AS 15.20.203(b) and 15.20.207(b), respectively, to specify that absentee in-person ballots and provisional ballots will not be counted if the voter has not provided the proper identification and was not personally known by the election official. Sections 38 - 40 of the bill would amend statutes regarding the primary election by replacing the terms "nonpartisan" and "undeclared" with the term "unaffiliated" in identifying voters who are not affiliated with a political party, to streamline references to such voters.

The Honorable Pete Kott
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Page 5

This bill must be enacted this year in order to comply with the timelines for various requirements set out in the HAVA. Therefore, I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank H. Murkowski". The signature is written in a cursive style with a long, sweeping underline.

Frank H. Murkowski
Governor

STATE OF ALASKA

OFFICE OF THE LT. GOVERNOR

FRANK H. MURKOWSKI, GOVERNOR

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

CS HB 266 (STA)

"An Act relating to elections, questioned ballots and questioned voters, voter registration, training of election officials, preparation of election materials, voter identification, absentee voting, counting ballots, and the primary election; and providing for an effective date."

In October 2002, President Bush signed the "Help America Vote Act," (H.R. 3295) into law (P.L. 107-252). HAVA is the result of a bipartisan effort in Congress to make sweeping changes to federal election laws to improve the overall administration of elections, increase accessibility to those with disabilities, and also to prevent voter fraud.

Many changes required under HAVA do not require amending Alaska statute, but HB 266 includes those necessary to meet federal mandates. Changes recommended in the bill before you follow the intent of the federal law and do not place unnecessary burdens on the voter. It is imperative that these changes mandated by federal law are passed by the Legislature this year.

HB 266 also includes changes the Division recommends. The Division supports the language recommended in Senator Lincoln's SB 24, and it has been included in this bill with her permission. Other changes regarding returning identification/voter cards to other jurisdictions, reference to a "master list," and adding types of information that can be provided by the voter when registering in person are requested by the Division in this bill.

Perhaps the most significant change NOT mandated by the federal act, but recommended in this bill is replacing the terms "non partisan" and "undeclared" with the term "unaffiliated." Many voters do not know the difference between the two classifications and make numerous party affiliation changes between the "non partisan" and "undeclared." This would eliminate confusion on the part of the voter, while not affecting their access to the ballot.

The House State Affairs Committee removed the language suggested by the Division changing the term "questioned ballots" to "provisional ballots." The federal law refers to "provisional voting," (which Alaskans refer to as "questioned voting") and the Division

originally recommended changing the references in statute to conform to the federal language.

The State Affairs Committee also restored references to the Division sending voters letters regarding the status of their absentee, questioned, or partially counted ballot in addition to the "free access system" required in HAVA.

The Division of Elections asks for your support of House Bill 266.

CSHB 266 (STA)

“An Act relating to elections, questioned ballots and questioned voters, voter registration, training of election officials, preparation of election materials, voter identification, absentee voting, counting ballots, and the primary election; and providing for an effective date.”

Section 1 – NEW subsection requiring the Director of Elections to enter into an agreement with DMV and PFD to allow the Division to match voter information for first-time registrants who are registering by mail, facsimile, or other electronic transmission.

Required by HAVA section 303(b)(3)(B)(ii).

Section 2 - Applicants for voter registration will be required to supply additional information –
An Alaska driver's license or Alaska I.D. card (if issued)
Last four digits of the applicant's social security number (if issued)
Date of birth

Required by HAVA section 303(b)(3)(B)(i) and (ii).

Section 3– Applicants who have been previously registered to vote in another jurisdiction would no longer be required to surrender to the registration official any voter registration or ID card or credentials from that previous jurisdiction. The Director would not be required to return that applicant's voter registration or ID card or credentials to that jurisdiction.

The Director will, however, still be required to notify the chief elections officer in that jurisdiction that the applicant has registered to vote in Alaska and to cancel the applicant's voter registration in that jurisdiction

“Houskeeping” change – the Division has not been requiring the surrender of the voter registration or ID card or credentials, nor has the Director been returning them to the election official in the previous jurisdiction, as other jurisdictions do not require that function.

Section 4 – Adds a state ID card or a valid photo identification to the list of acceptable forms of identification that can be shown when applying for voter registration in person.

“Houskeeping” change – adds to the options of types of identification that are acceptable.

Section 5 – NEW subsections requiring the Director to verify information provided by an applicant requesting initial registration by mail, through agency records (DMV/PFD). If an applicant cannot provide an Alaska driver's license, state id or social security number, because the applicant has not been issued any of those numbers, they may instead submit a copy of a driver's license (other than Alaska's), state I.D. card, current and valid photo I.D., birth certificate, passport, or a hunting/fishing license.

All Alaskan registrants who submit a complete voter registration form are assigned a “unique identifying number” on their voter card. This language is added to emphasize intent of HAVA.

Required by HAVA sections 303(a)(5)(A)(i) and(ii), 303(a)(5)(b)(i), 303(b)(4)(A), 303(b)(4)(B).

Section 6– In regards to the voter registration database (master register) the phrase “located in the office of the director and on the district register located in the office of the election supervisor” is removed. The Voter Registration Election Management database (VREMS) is the “master register” and is accessible by all regional supervisors and the Director’s office.

“Housekeeping” change.

Section 7 – Replaces the phrase “may not,” with “is not eligible to.” Removes language related to the master register and its location (same as above). Also makes a stylistic change with regard to when a voter is eligible to vote.

“Housekeeping” change.

Section 8 – Adds “absentee in person”. The information obtained on the envelope used for voting a questioned or absentee in person ballot will be the same as that required on a voter registration form. If the voter voting such a ballot completes the information, the director is required to place the voter’s name on the voter registration list.

Required by HAVA section 303 (b).

Section 9 – This language more accurately reflects Division practices. The Director is required to file a plan describing the training program provided to election officials every year by March 1st to the Lt. Governor. (replaces January to enable staff to determine more accurate costs related to training.) The word “annual” was removed because the training plans are based on the election cycle calendar.

“Housekeeping” change.

Section 10 - NEW subsection that requires the Director to provide materials, forms and supplies for each polling place to include-

Hours the polling place will be open

Instructions on how to cast a provisional ballot

Instructions for first time voters who initially registered by mail

General information on voting rights

Prohibitions on acts of fraud/misrepresentations and how to report these violations

Required by HAVA section 302 (b)(2).

Section 11 - Requires that a voter who casts a questioned ballot be given information at the time they vote that the voter will be able to ascertain whether the ballot was counted, and if not, why not.

Required by HAVA section 302.

Section 12 – Adds types of identification required at the polls before voting to
State ID card
Current and valid photo ID

An original or copy of a current utility bill, bank statement, paycheck, government check, or other government document bearing the name and current address of the voter

Required by HAVA sections 303(b)(1) and 303 (b)(2)(A)(i) and (ii).

Section 13- Identification requirements may not be waived for voters who are first-time voters who initially registered by mail, facsimile, or other electronic transmission and did not provide the identification required when registering by mail.

Required by HAVA sections 303(b)(1) and 303 (b)(2)(A)(i) and (ii).

Section 14- removes the phrase "hand count precincts" when explaining how the election board shall count ballots, thereby providing a uniform definition of what constitutes a vote.

Required by HAVA section 302(a)(6).

Section 15 – Requires first-time voters who initially registered by mail, facsimile, or other electronic transmission and who are voting absentee by mail, to provide a copy of:

Driver's License or State ID card

Current and valid photo ID

Birth certificate, passport, or hunting or fishing license

A current utility bill, bank statement, paycheck, government check, or other government document bearing the name and current address of the voter

Required by HAVA section 303 (b)(2)(A)(ii).

Section 16 – NEW subsection that allows for absentee ballot applications of absent uniformed services voters and absent overseas voters to be valid through the next two general elections.

Required by HAVA section 704.

Section 17 – Requires the Director to provide "special absentee ballots" to Alaskans living, working or traveling in a remote area of the State where distance, terrain, or other natural conditions deny the voter reasonable access to a polling place.

Duplicates the language offered in Senator Lincoln's SB 24 with permission of the Senator.

Section 18 – Specifies that the absentee ballot of a first time voter who registered by mail, facsimile, or other electronic transmission will not be counted if the proper identification was not provided or if the voter was not personally known by the election officials, or if the identification can not be verified by state agency records.

Required by HAVA section 303(b)(2).

Section 19 – NEW subsection that requires the Director to provide a "free access system" so absentee voters can determine whether their ballot was counted, or if not, why not.

A "free access system" may be a toll free number or a website address, or both. The information must be available not less than 10 days after certification of the primary election and not less than 30 days after the certification of a general or a special election.

Required by HAVA section 302 (b)(2).

Section 20 – Specifies that the questioned ballot of a first-time voter who registered by mail, facsimile, or other electronic transmission will not be counted if the proper identification has not been provided or did not provide identification that could be verified by state agency records.

Required by HAVA sections 302 (a)(5)(A), 303 (b)(1), 303 (b)(2)(A)(I) and (ii) and 303 (b)(3)(B).

Section 21 – NEW subsection that requires the Director to provide a "free access system" so those who voted a questioned ballot can determine whether their ballot was counted, or if not, why not.

A "free access system" may be a toll free number or a website address, or both. The information must be available not less than 10 days after certification of the primary election and not less than 30 days after the certification of a general or a special election.

Required by HAVA section 302 (a)(5)(B).

Section 22 – NEW subsection that requires the Director to provide a "free access system" so those who voted a ballot that was partially counted can determine whether their ballot was partially counted, or if not counted, why not.

A "free access system" may be a toll free number or a website address, or both. The information must be available not less than 10 days after certification of the primary election and not less than 30 days after the certification of a general or a special election.

Required by HAVA section 302 (a)(5)(B).

Section 23 - "handcount precincts" was removed because there is a uniform definition of what constitutes a vote. (Section 14 of this bill)

Section 24 – changes the terms "non partisan" and "undeclared" to "unaffiliated". Those voters who are not affiliated with a party, would be "unaffiliated." Many voters do not know the difference between the two classifications and make numerous party affiliation changes between the "non partisan" and "undeclared." This would eliminate confusion on the part of the voter, while not affecting their access to the ballot.

"Housekeeping" change.

Section 25 - changes the terms "non partisan" and "undeclared" to "unaffiliated". Those voters who are not affiliated with a party, would be "unaffiliated." Many voters do not know the difference between the two classifications and make numerous party affiliation changes between the "non partisan" and "undeclared." This would eliminate confusion on the part of the voter, while not affecting their access to the ballot.

"Housekeeping" change.

Section 26 - changes the terms "non partisan" and "undeclared" to "unaffiliated". Those voters who are not affiliated with a party, would be "unaffiliated." Many voters do not know the difference between the two classifications and make numerous party affiliation changes between the "non partisan" and "undeclared." This would eliminate confusion on the part of the voter, while not affecting their access to the ballot.

"Housekeeping" change.

Section 27– Repeals the following sections:

15.15.360 (c) stated that the votes described in that section are only those in handcount precincts, but in reality it is how ALL votes are treated.

Repealed because Section 14 provides for a UNIFORM definition of what constitutes a vote.

Section 28– Provides for an immediate effective date. The State must pass this legislation to comply with the federal act this year.

LEAGUE OF WOMEN VOTERS OF ALASKA

RESOLUTION 03-03

**A RESOLUTION IN OPPOSITION TO HB 157 and SB 119:
Elimination of the Alaska Public Offices Commission (APOC)**

WHEREAS, the League of Women Voters of Alaska supports the citizens' right to know through public disclosure of political campaign contributions, the financial interests of public officials and the financial affairs of lobbyists and their employers,

WHEREAS, the League of Women Voters of Alaska believes that all disclosure reports should be received, compiled and published by an independent commission which should have final responsibility for monitoring and enforcement; and

WHEREAS, the State of Alaska established the Alaska Public Offices Commission in 1974 to ensure the accountability of candidates and public officials to the public in accordance with the Alaska Statutes,

THEREFORE, BE IT RESOLVED, that the League of Women Voters of Alaska urges the Alaska State Legislature to oppose HB 157 and SB 119 relating to the elimination of the Alaska Public Offices Commission, and

BE IT FURTHER RESOLVED, that the League of Women Voters of Alaska urges the Alaska State Legislature to appropriate resources sufficient to carry out the mission of the Alaska Public Offices Commission as the agency upholding the public's right to know the financial affairs of lobbyists and their employers as well as elected public officials and candidates for state and local offices.

PASSED and APPROVED by the delegates to the League of Women Voters of Alaska 2003 Convention, Juneau, Alaska, this 13th day of April, 2003.



Cheryl Jebe, President
League of Women Voters of Alaska

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
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(907) 465-3867 or 465-2450
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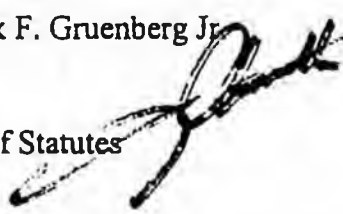
MEMORANDUM

April 16, 2003

SUBJECT: Amendment A.3 to HB 266 (Work Order No. 23-GH1133\A-3)

TO: Representative Max F. Gruenberg Jr.

FROM: Jack Chenoweth
Assistant Revisor of Statutes



This addresses the second of a pair of amendments submitted yesterday by Justin Roberts. The first four of the five entries in the text of the amendment accompanying this memo replace the proposal to substitute reliance on the free access system for direct communication of the fact that a voter's ballot was or was not counted during a recent state election with a requirement that use of or reliance on the free access system supplement the current communication requirement.¹

My purpose in writing is to direct attention to the text of three provisions repealed in House Bill 266 -- AS 15.20.211(c), (d), and (e).² Those provisions address the reporting

¹ House Bill 266 is a governor's bill. Governor Murkowski's transmittal letter addresses the provisions being altered by the accompanying amendment:

[These changes] would repeal and reenact [AS 15.20.203(h) and 15.20.207(h)] to provide for a free access system for absentee [and other] voters to use to determine whether their ballot was counted. . . . The free access system would replace the current system of mailing individual notice to voters. . . .

2003 House Journal at pp. 968, 969.

² The text of those subsections reads:

Counting cross-district and certain write-in votes. . . .

(c) The director shall prepare and mail to each voter whose ballot was subject to partial counting under this section a summary of the reason that the challenge to the ballot was upheld and the ballot was subject to only a partial counting.

(d) The director shall mail the materials described in (c) of this section to the voter not later than

Representative Max Gruenberg, Jr.
April 16, 2003
Page 2

to the voter of the handling or disposition of a "partially counted" vote -- a vote, say, where the vote for governor was validly cast (and therefore counted) but the vote for the state house race was not counted, perhaps because the voter marred the ballot or marked the choice of more than one candidate. The bill proposes to repeal the requirement of communication to the voter in a partially counted vote situation. I did not have from you clear direction on how to address the provision, so I did not change what is proposed. Still, you may want to retain these provisions, especially if you understand that the free access system does not communicate the handling of a ballot that was only partially counted.

JBC:med
03-402.med

(1) 10 days after completion of the review of ballots by the state review board for a primary election;

(2) 60 days after certification of the results of a general or special election.

(e) In addition to mailing the materials under (d)(1) of this section, for a questioned voter whose questioned primary election ballot was partially counted, not later than the deadline set out in (d)(1) of this section, the director shall

(1) determine whether, from the information obtained under AS 15.07.070(h), the voter's name may be entered on the voter registration list;

(2) if the voter is eligible, register the voter in accordance with the information submitted by the voter under AS 15.07.070(h); and

(3) confirm or deny the registration by written notice mailed to the voter.



**State of Alaska
Division of Elections**

Help America Vote Act of 2002



Summary for Alaska State Plan Committee

Funding for Federal Election Administration

★ Significant funding has been appropriated

Provides payments to State to improve the administration of federal elections and replace voting systems.

Requires each State to assure access to disabled voters, including one DRE at each polling place.

★ Estimated Funding for Alaska

Election Administration and Voting Assistance - \$5 million

Requirements Payments - up to \$15 million with 5% state match required.



Punch Card Replacement

- ★ States must use the money directly or as a reimbursement.**
- ★ States must replace machines with equipment that meets standards in HAVA.**
- ★ A state receiving money must replace all punch card equipment by 2004, or 2006 if a waiver is requested.**

Although Alaska no longer uses punch card voting systems, we can use the funding to expand the use of our optical scan system.

Election Administration Improvement

- ★ **Guaranteed minimum payment of up to \$5 million.**
- ★ **In order to receive funding the chief executive officer, in consultation with the chief election official, must certify that the state will use the money to improve elections and how the payment will be used.**
- ★ **Certification is due April 29, 2003.**

Certification includes that use of the funds will be consistent with existing federal laws and the act.



Requirements Payments

- ★ **Payments to states in Fiscal Years 2003-2005.**
- ★ **Funding must be used to meet requirements in Title III.**
- ★ **Requires yearly report detailing how funds were used.**
- ★ **In order to receive funding for a fiscal year, the chief executive officer must, in consultation with the chief election official, file a certification with the EAC.**
- ★ **Certification requires submission of state plan to EAC.**

**Requirement payments available as early as
4/29/03.**

Election Assistance Commission (EAC)

- ★ **A new independent agency consisting of 4 members appointed by the President and confirmed by the Senate.**
- ★ **The EAC must adopt Voluntary Voting System Guidelines and conduct various studies.**
- ★ **The EAC has no rule-making authority or ability to take action that imposes a requirement on a state or locality.**
- ★ **Administers all the grant programs established by the Act.**

Election Assistance Standards Board

- ★ **110 members, comprised of 55 state and 55 local election officials.**
- ★ **Laura Glaiser and Shelly Growden have been nominated as the Alaska representatives to this board.**
- ★ **Responsible for reviewing Voluntary Voting System Guidelines and voluntary guidelines for meeting the requirements of HAVA.**
- ★ **Must meet once a year.**



Other Boards

★ **Election Assistance Board of Advisors**

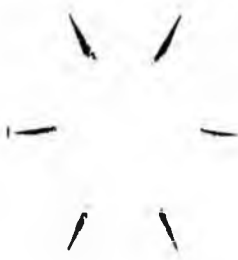
37 members from a wide variety of different interest groups.

Votes on adopting Voluntary Voting System Guidelines once a year.

★ **Technical Guidelines Development Committee**

15 members appointed by the EAC and the National Institute of Standards and Technology.

Will assist in development of Voluntary Voting System Guidelines.



Voting System Standards Effective January 1, 2006

- ★ **Provide voters an opportunity to check for and correct ballot errors.**
- ★ **Requires a manual audit capacity with paper record.**
- ★ **Provide at least 1 voting machine at each polling place that is accessible to the disabled.**
- ★ **Provide alternative language accessibility.**
- ★ **Provide voting system with error rate that does not exceed the existing rate established by Federal Election Commission.**
- ★ **Define what constitutes a legal vote.**

Voting System Standards Effective January 1, 2004

- ★ **Provide for provisional ballots.**
- ★ **Provide sample ballot and other voter information at each polling place on election day.**
- ★ **Implement a uniform, computerized statewide voter registration database and conduct list maintenance to maintain an accurate list.**
- ★ **Requires an individual to provide driver's license or last 4 of SSN when registering to vote.**
- ★ **Requires first-time voters who registered by mail must provide identification when they cast their ballot.**



Provisional ballots

- ★ **Allows voters to vote a provisional ballot if their name does not appear on the precinct register.**
- ★ **Alaska meets this requirement with “Questioned Ballots”.**
- ★ **Required to provide a free access system so that voters can ascertain if their provisional ballot counted, and if it was not counted, the reason why.**

Toll Free Number

Website



Voting Information at Polling Places

- ★ **Sample Ballot - Alaska provides.**
- ★ **Election date and the hours the polls are open.**
- ★ **Instructions on how to vote - Alaska provides.**
- ★ **Instructions on how to cast a provisional ballot.**
- ★ **Instructions for first time voters who registered by mail.**
- ★ **General information on voting rights.**
- ★ **General information on the prohibitions on acts of fraud and misrepresentation.**



Computerized Statewide Voter Registration List

★ The Act requires a *“single, uniform, official, centralized, interactive computerized statewide voter registration list, defined, maintained and administered at the State level that contains the name and registration information of every legally registered voter in the State.”*

**Alaska has a statewide voter list but it
doesn't meet all requirements.**

Voter Registration List - continued

- ★ **The voter registration list must be coordinated with other state agency databases - Alaska to use PFD and DMV.**
- ★ **The list serves as the official list of registered voters for federal elections.**
- ★ **List maintenance must be performed on a regular basis following National Voter Registration Act (NVRA) standards.**
- ★ **Alaska currently has a list maintenance system in place that meets NVRA.**



Voter Registration Requirements

- ★ A voter registration applicant must provide a driver's license number or the last four digits of the applicant's social security number at the time of registration.**
- ★ A registration application may not be processed if the applicant does not provide the driver's license or last four digits of the social security number if the applicant has been issued one of these numbers.**