

Introduced by: Council Member Huntington
Mayor Eberhart
Introduced: October 24, 2016

RESOLUTION NO. 4764

**A RESOLUTION SUPPORTING BALLOT MEASURE 1 – AN ACT
ALLOWING QUALIFIED INDIVIDUALS TO REGISTER TO VOTE
WHEN APPLYING FOR A PERMANENT FUND DIVIDEND**

WHEREAS, every eligible Alaskan citizen has a fundamental right to vote; and

WHEREAS, rural communities, military families, and individuals who move frequently may not have adequate online and physical access to accurate voter registration processes; and

WHEREAS, over 90% of Alaskan residents apply for the Permanent Fund Dividend (PFD) annually, and 83% of PFD applicants file online through electronic processing; and

WHEREAS, “PFD Automatic Voter Registration” has been proposed for the General Election Ballot of 2016 to allow simultaneous voter registration when an eligible citizen applies for the yearly PFD; and

WHEREAS, the Division of Elections estimates that approximately 70,000 eligible Alaska citizens could become new, registered voters within the first year of passage; and

WHEREAS, the PFD Division already uses comprehensive fraud detection analysis and would prevent voter registration fraud, allowing Alaska to have the most accurate voter database in the nation; and

WHEREAS, a PEW Foundation study demonstrated that processing electronic registrations cost ten times less than paper processing; and

WHEREAS, PFD Automatic Voter Registration would make government more efficient, reducing bureaucracy and paperwork by using the PFD’s existing strict processing system; and

WHEREAS, PFD Automatic Voter Registration would regularly update addresses and register new eligible voters on an annual basis.

NOW THEREFORE BE IT RESOLVED, that the City of Fairbanks City Council supports Ballot Measure 1 – an act allowing qualified individuals to register to vote when applying for a permanent fund dividend.

PASSED AND APPROVED this 24th day of October 2016.

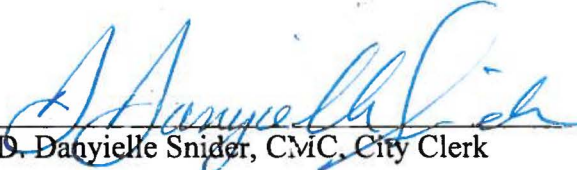


Jim Matherly, Mayor
City of Fairbanks

AYES: PASSED and APPROVED on the CONSENT AGENDA
NAYS: None
ABSENT: None
APPROVED: October 24, 2016

ATTEST:

APPROVED AS TO FORM:



D. Danvielle Snider, CMC, City Clerk



Paul Ewers, City Attorney

Ballot Measure No. 1

An Act Allowing Qualified Individuals to Register to Vote When Applying for a Permanent Fund Dividend.

Ballot Language

**Ballot Measure No. 1 – 15PFVR
An Act Allowing Qualified Individuals to Register to Vote When Applying for a Permanent Fund Dividend.**

This act would instruct the Division of Elections to register a qualified Alaskan to vote when applying for the permanent fund dividend (PFD). If a person registers to vote for the first time through a PFD application, the Division of Elections would compare the person's information to state records to ensure that the person is an eligible voter. The Division of Elections would let the citizen know if he or she has been added to the state registration list, or if the person's current voting address does not match the one provided on the PFD form. In that case, the person could change their voter registration address. The notice also would allow an applicant to request removal from the registration list. Thus, using the data from the PFD form, the Division of Elections would register a qualified Alaskan to vote unless he or she opts out. The notice would also allow a person to register with a political party. Voter information is already confidential under existing state law.

Should this initiative become law?

Yes No

Legislative Affairs Agency Summary

This Act creates another method for a person to register to vote. A person could register using a permanent fund dividend (PFD) application. The person would have to attest that the information on the person's PFD form is true. Voter information on a PFD form would be provided to the Division of Elections. The division would check whether the person is eligible to vote. If the person is eligible, the person would be notified that the person will be registered to vote in this state. An out-of-state registration for the person would be canceled. The person has 30 days to respond to the notice and opt out. The Act provides that voter information on a PFD form would be as confidential as other voter information.

Statement of Costs

Estimate of Costs to the State of Alaska for the Voter Initiative Allowing Qualified Individuals to Register to Vote When Submitting a Permanent Fund Dividend Application

Cost Summary

Agency	Cost
Office of the Lieutenant Governor	\$9,000
Office of the Lieutenant Governor – Division of Elections	\$931,300
Department of Revenue – Permanent Dividend Fund Division	\$2,585
TOTAL	\$942,885

Estimate of costs to the Office of the Lieutenant Governor and the Division of Elections

As required by AS 15.45.090(a)(3), the Alaska Office of the Lieutenant Governor has prepared the following statement of costs to implement the proposed ballot initiative. If approved, the initiative would take effect 90 days following election certification.

Office of the Lieutenant Governor

Assuming the initiative is placed on the ballot, the minimum cost to conduct public hearings concerning the initiative in two communities in each of four judicial districts is estimated to be \$9,000.

Lt. Governor's Office – Estimate by Category

<u>Travel</u>	<u>\$ 9,000</u>
Total	\$ 9,000

Estimated travel expenses include round-trip air transportation, per diem and other associated travel costs for the Lieutenant Governor and staff to travel to seven communities in Alaska: It is assumed one of the hearings would be in Anchorage which would not involve travel costs.

Division of Elections

As required by AS 15.45.090(a)(3) and (4), the Division of Elections has prepared the following statement of costs to implement the proposed ballot initiative.

The estimated cost to the Division of Elections associated with certification of the initiative application and review of the initiative petition, excluding legal costs to the state and the costs to the state of any challenge to the validity of the petition, is estimated to be \$931,300. Recurring annual costs are estimated at approximately \$300,000.

Division of Elections – Estimate by Category

Personal Services:	\$130,000
Contractual Services:	\$801,300
TOTAL	\$931,300

Personal Services

Ten temporary employees to process the voter notification cards and respond to questions. The recurring need to hire temporary workers will be on a year by year assessment. Estimated cost: \$60,000

Certification of the initiative application and review of the initiative petition: \$70,000

Contractual Services

The Division of Elections – The Voter Registration and Election Management System will require system configuration changes in order to comply with the requirements of the initiative. The cost estimate takes into consideration the limited timeframe to analyze the portions of the system that would need to be reconfigured if the initiative passes. This would be a one-time expense: \$500,000

Costs for mailing notices to voters who are eligible but not registered, and those who are registered but have a different mailing address. This includes costs related to printing, postage and return mail service: \$300,000

Printing of voter booklets: \$1,300

Department of Revenue

Permanent Dividend Fund Division

As required by AS 15.45.090(a)(4), the Permanent Fund Dividend Division (PFDD) has prepared the following statement of cost to implement the proposed permanent fund dividend application and the registration of voters ballot initiative. The minimum cost to PFDD to implement this change is estimated to be \$2,585.00.

The ballot initiative would amend AS 15.07.050(a) and register individuals to vote by completing a permanent fund dividend application under AS 43.23.015. The dividend application currently captures all but one of the required data elements outlined in AS 15.07.060(a)(1)-(4) and (7)-(9). The exception being, AS 15.07.060(a)(4), the applicant's Alaska residence address. The dividend application requires both a mailing and physical address, but neither is required to be within the state of Alaska. Minimal application programming will be required to modify the application to include a physical address if it must be within Alaska.

In addition, a statement of notification will be incorporated into the permanent fund dividend application. The notification language will explicitly explain that by completing a

permanent fund dividend application the applicant will simultaneously be registered to vote.

Although, the projected costs associated with this ballot initiative are relatively insignificant to PFDD, the impact on the volume of public contact is an unknown variable. An increase in non-permanent fund dividend inquires will directly affect the time PFDD technicians have to meet the program's primary mission.

Permanent Dividend Fund Division – Estimate by Category

15 programming hours to modify PFD applications	\$679
15 programming hours to include additional Alaskan address data entry component	\$679
5 programming hours to create Elections file transfer report	\$227
Increase in application printing costs to include additional Alaska address field	\$1000
Total	\$2,585

Full Text of Proposed Law

“An Act relating to the permanent fund dividend application and the registration of voters; and providing for an effective date.”

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ALASKA:

***Section 1.** The uncodified law of the State of Alaska is amended by adding a section to read:

FINDINGS AND INTENT. (a) The People of the State of Alaska find:

- (1) the cornerstone of American democracy is the right to vote;
- (2) the state should not introduce needless bureaucratic requirements that make it more difficult for qualified citizens to exercise their right to vote;
- (3) the State of Alaska currently requires individuals who wish to receive a permanent fund dividend to submit an annual application to the State;
- (4) PFD applicants who also wish to register to vote, or to update their voter registration, must submit information to the State a second time, using a different form;
- (5) the State can relieve qualified voters who apply for a PFD from the burden of having to complete additional paperwork; and
- (6) the State can use PFD-application data to ensure voter-registration data are current.

***Section 2.** AS 15.07.050(a) is amended to read:

- (a) Registration may be made

- (1) in person before a registration official or through a voter registration agency;
- (2) by another individual on behalf of the voter if the voter has executed a written general power of attorney or a written special power of attorney authorizing that other individual to register the voter;
- (3) by mail; [OR]
- (4) by facsimile transmission, scanning, or another method of electronic transmission that the director approves; or
- (5) by completing a permanent fund dividend application under AS 43.23.015.**

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

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

***Sec. 4.** AS 15.07.070(f) is amended to read:

(f) Incomplete or inaccurate registration forms may not be accepted. A person who submitted an incomplete or inaccurate registration form may register by reexecuting and resubmitting a registration form in person, by mail, or by facsimile or other electronic transmission approved by the director under AS 15.07.050. The requirements of (c) or (d) of this section apply to a registration form resubmitted under this subsection. **Notwithstanding the foregoing, an application made under AS 43.23.015 that contains the information required by AS 15.07.060(a)(1)-(4) and (7)-(9), and an attestation that such information is true, shall not be deemed an incomplete registration form, and shall be accepted in accordance with AS 15.07.070(i).**

***Sec. 5.** AS 15.07.070 is amended by adding a new subsection to read:

(i) The division shall register voters who submit an application to receive a permanent fund dividend in accordance with this subsection.
(1) The division shall cooperate with the Department of Revenue under AS 43.23.016 to ensure that the permanent fund dividend application form furnished by the Department of Revenue under AS 43.23.015 allows an applicant, a person who is designated in a power of attorney to act on behalf of

an applicant, or a person acting on behalf of a physically disabled applicant to submit voter registration information required under AS 15.07.060(a)(1)-(4) and (7)-(9), and an attestation that such information is true. The director may require proof of identification of the applicant, if not already in the Department of Revenue's possession, as required by regulations adopted by the director under AS 44.62 (Administrative Procedure Act).

(2) Upon receipt of the registration information, the director shall, as soon as practicable and in accordance with a schedule established by the director by rule, notify by U.S. mail, and any other means authorized by the director, each applicant not already registered to vote at the address provided in the applicant's application

(A) of the processes to

- (i) decline to be registered as a voter,
- (ii) maintain an existing voter registration, or be newly registered, at a valid place of residence not the provided in the applicant's application, and
- (iii) adopt a political party affiliation;

and

(B) that failure to respond to the notification shall constitute the applicant's consent to cancel any registration to vote in another jurisdiction.

(3) If an applicant does not decline to be registered as a voter within 30 calendar days after the director issues the notification, the application under AS 43.23.015 will constitute a completed registration form. The name of the applicant shall be placed on the master register if the director determines that the person is qualified to vote under AS 15.05.010, and the director shall forward to the applicant a registration card. If registration is denied, the applicant shall immediately be informed in writing that registration was denied and the reason for denial.

(4) Any person who is not eligible to vote and who becomes registered under this provision through human or mechanical error shall not be found on that basis to have had the intent to unlawfully register to vote.

*Sec. 6. AS 43.23.015(b) is amended to read:

(b) The department shall prescribe and furnish an application form for claiming a permanent fund dividend. The application must include

(1) notice of the penalties provided for under AS 43.23.035;

(2) [AND CONTAIN] a statement of eligibility and a certification of residency;

(3) the means for an applicant eligible to vote under AS 15.05,

or a person authorized to act on behalf of the applicant, to furnish information required by AS 15.07.060(a)(1)-(4) and (7)-(9), and an attestation that such information is true.

***Sec. 7.** AS 43.23.016 is repealed and reenacted to read:

Sec. 43.23.016. Voter registration. The commissioner shall establish by rule a schedule by which the commissioner will provide, and shall provide as soon as is practicable the director of elections with

(a) electronic records from the permanent fund dividend applications of the information required by AS 15.07.060(a)(1)-(4) and (7)-(9), and the attestation that such information is true, for each permanent fund dividend applicant who

- (1) is a citizen of the United States, and
 - (2) is at least 18 years of age or will be within 90 days of the date of the application, and
- (b) the mailing addresses for all permanent fund dividend applicants.

***Sec. 8.** AS 43.23.017(a) is amended to read:

(a) **Except as provided in (c) of this section, information** [INFORMATION] on each permanent fund dividend application, except the applicant's name, is confidential. The department may only release information that is confidential under this section

(1) to a local, state, or federal government agency;

(2) in compliance with a court order;

(3) to the individual who or agency that files an application on behalf of another;

(4) to a banking institution to verify the direct deposit of a permanent fund dividend or correct an error in that deposit;

(5) as directed to do so by the applicant; [AND]

(6) to a contractor who has a contract with a person entitled to obtain the information under (1) - (5) of this section to receive, store, or manage the information on that person's behalf; a contractor receiving data under this paragraph may only use the data as directed by and for the purposes of the person entitled to obtain the information[.];

(7) to the division of elections, as required by AS 43.23.016.

***Sec. 9.** AS 43.23.017 is amended by adding a new subsection to read:

(c) Information submitted on a permanent fund dividend application that is used for the purpose of registering an applicant to vote under AS 43.23.016 shall be kept confidential by the division of elections as provided in AS 15.07.195.

***Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to read:

It is the intention of the people of Alaska that, if any provision of this Act shall be held to be invalid by a court of competent jurisdiction, the remainder shall not be affected and shall be given effect to the fullest extent possible.

***Sec. 11.** The uncodified law of the State of Alaska is amended by adding a new section to read:

This Act shall take effect 90 days after enactment.