

HOUSE BILL NO. 25

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE EDGMON

Introduced: 1/7/13

Referred: Prefiled

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to use of an enrollment card or other identification issued by a**
2 **federally recognized tribe or a tribal organization for voter identification."**

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

4 *** Section 1.** AS 15.07.060(c) is amended to read:

5 (c) Each applicant who requests registration in person before a registration
6 official shall exhibit one form of identification to the official, including a driver's
7 license, state identification card, current and valid photo identification, birth
8 certificate, passport, [OR] hunting or fishing license, **or an enrollment card or other**
9 **identification issued by a federally recognized tribe or a tribal organization.** A
10 registration official who knows the identity of the applicant may waive the
11 identification requirement.

12 *** Sec. 2.** AS 15.07.060(e) is amended to read:

13 (e) For an applicant requesting initial registration by mail or by facsimile or
14 other electronic transmission approved by the director under AS 15.07.050, the

1 director shall verify the information provided in compliance with (a)(2) and (3) of this
 2 section through state agency records described in AS 15.07.055(e). If the applicant
 3 cannot comply with the requirement of (a)(2) of this section because the applicant has
 4 not been issued any of the listed numbers, the applicant may instead submit a copy of
 5 one of the following forms of identification: a driver's license, state identification card,
 6 current and valid photo identification, birth certificate, passport, [OR] hunting or
 7 fishing license, **or an enrollment card or other identification issued by a federally**
 8 **recognized tribe or a tribal organization.**

9 * **Sec. 3.** AS 15.15.225(a) is amended to read:

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

12 (1) an official voter registration card, driver's license, state
 13 identification card, current and valid photo identification, birth certificate, passport,
 14 [OR] hunting or fishing license, **or an enrollment card or other identification**
 15 **issued by a federally recognized tribe or a tribal organization;** or

16 (2) an original or a copy of a current utility bill, bank statement,
 17 paycheck, government check, or other government document; an item exhibited under
 18 this paragraph must show the name and current address of the voter.

19 * **Sec. 4.** AS 15.20.081(f) is amended to read:

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

27 (1) a copy of a driver's license, state identification card, current and
 28 valid photo identification, birth certificate, passport, [OR] hunting or fishing license,
 29 **or an enrollment card or other identification issued by a federally recognized**
 30 **tribe or a tribal organization;** or

31 (2) a copy of a current utility bill, bank statement, paycheck,

1 government check, or other government document; an item provided under this
2 paragraph must show the name and current address of the voter.

3 * **Sec. 5.** AS 15.20.203(b) is amended to read:

4 (b) An absentee ballot may not be counted if

5 (1) the voter has failed to properly execute the certificate;

6 (2) an official or the witnesses authorized by law to attest the voter's
7 certificate fail to execute the certificate, except that an absentee ballot cast in person
8 and accepted by an absentee voting official or election supervisor may be counted
9 despite failure of the absentee voting official or election supervisor to properly sign
10 and date the voter's certificate as attesting official as required under AS 15.20.061(c);

11 (3) the ballot is not attested on or before the date of the election;

12 (4) the ballot, if postmarked, is not postmarked on or before the date of
13 the election;

14 (5) after the day of election, the ballot was delivered by a means other
15 than mail; or

16 (6) the voter voted

17 (A) in person and is a

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

25 (ii) voter other than one described in (i) of this
26 subparagraph, did not provide identification described in
27 AS 15.15.225(a), was not personally known by the election official,
28 and has not provided the identifiers required in AS 15.07.060(a)(2) and
29 (3); or

30 (B) by mail or electronic transmission, is a first-time voter who
31 initially registered by mail or by facsimile or other electronic transmission

1 approved by the director under AS 15.07.050 to vote, has not met the
2 identification requirements set out in AS 15.07.060, and does not submit with
3 the ballot a copy of a

4 (i) driver's license, state identification card, current and
5 valid photo identification, birth certificate, passport, [OR] hunting or
6 fishing license, **or an enrollment card or other identification issued**
7 **by a federally recognized tribe or a tribal organization**; or

8 (ii) current utility bill, bank statement, paycheck,
9 government check, or other government document; an item described
10 in this sub-subparagraph must show the name and current address of
11 the voter.

12 * **Sec. 6.** AS 15.80.010 is amended by adding new paragraphs to read:

13 (43) "federally recognized tribe" means a tribe that is recognized by
14 the United States Secretary of the Interior to exist as an Indian tribe under 25 U.S.C.
15 479a (Federally Recognized Indian Tribe List Act of 1994);

16 (44) "tribal organization" has the meaning given in 25 U.S.C. 450b.