

**ALASKA STATE LEGISLATURE  
CONFERENCE COMMITTEE ON HB 311**

February 15, 2012

4:23 p.m.

**MEMBERS PRESENT**

Representative Mike Hawker, Chair  
Representative Craig Johnson  
Representative Beth Kerttula

Senator Kevin Meyer, Chair  
Senator Lyman Hoffman  
Senator Gary Stevens

**COMMITTEE CALENDAR**

HOUSE BILL NO. 311

"An Act relating to certain information filed with the Alaska Public Offices Commission; and providing for an effective date."

**PREVIOUS COMMITTEE ACTION**

BILL: HB 311

SHORT TITLE: REPORTS TO APOC

SPONSOR(S): RULES

|          |     |   |
|----------|-----|---|
| 02/01/12 | (H) | READ THE FIRST TIME - REFERRALS                 |
| 02/01/12 | (H) | STA   |
| 02/07/12 | (H) | STA AT 8:00 AM CAPITOL 106                      |
| 02/07/12 | (H) | Moved CSHB 311(STA) Out of Committee            |
| 02/07/12 | (H) | MINUTE(STA)                                     |
| 02/09/12 | (H) | STA AT 8:00 AM CAPITOL 106                      |
| 02/09/12 | (H) | Moved CSHB 311(STA) Out of Committee            |
| 02/09/12 | (H) | MINUTE(STA)                                     |
| 02/10/12 | (H) | STA RPT CS(STA) NT 5DP 1AM                      |
| 02/10/12 | (H) | DP: P.WILSON, KELLER, PETERSEN, SEATON,<br>LYNN |
| 02/10/12 | (H) | AM: JOHANSEN                                    |
| 02/10/12 | (H) | TRANSMITTED TO (S)                              |
| 02/10/12 | (H) | VERSION: CSHB 311(STA) AM                       |
| 02/10/12 | (S) | READ THE FIRST TIME - REFERRALS                 |
| 02/10/12 | (S) | RLS   |
| 02/13/12 | (S) | RLS RPT SCS (RLS) 2DP 3NR SAME<br>TITLE         |
| 02/13/12 | (S) | DP: STEVENS, HOFFMAN                            |
| 02/13/12 | (S) | NR: ELLIS, STEDMAN, MEYER                       |

02/13/12 (S) VERSION: SCS CSHB 311(RLS)  
02/13/12 (H) CONFERENCE COMMITTEE APPOINTED  
02/13/12 (H) HAWKER (CHAIR), JOHNSON, KERTTULA  
02/13/12 (S) RLS AT 10:30 AM BUTROVICH 205  
02/13/12 (S) Moved SCS CSHB 311(RLS) Out of  
Committee  
02/13/12 (S) MINUTE(RLS)  
02/15/12 (S) RECEDE MESSAGE READ AND TAKEN UP  
02/15/12 (S) CONFERENCE COMMITTEE APPOINTED  
02/15/12 (S) MEYER (CHAIR), HOFFMAN, STEVENS  
02/15/12 (S) LIMITED POWERS FREE CONFERENCE GRANTED  
02/15/12 (H) LIMITED POWERS FREE CONFERENCE GRANTED  
02/15/12 (H) (TECHNICAL TITLE CHANGE)  
02/15/12 (S) CC RPT ADPTD Y14 N2 E4 CCS HB 311  
02/15/12 (H) CC RPT ADPTD Y26 N5 E9 CCS HB 311  
02/15/12 (H) HB311 AT 11:30 AM SENATE FINANCE 532

**WITNESS REGISTER**

No witnesses to record

**ACTION NARRATIVE**

[4:23:04 PM](#)

**CHAIR MIKE HAWKER** called the Conference Committee on HB 311 meeting to order at 4:23 p.m. Representatives Kerttula, Johnson, and Hawker, and Senators Stevens, Hoffman, and Meyer were present at the call to order.

**HB 311 - REPORTS TO APOC**

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CHAIR HAWKER announced that the only order of business would be HOUSE BILL NO. 311, "An Act relating to certain information filed with the Alaska Public Offices Commission; and providing for an effective date." He noted that the committee would be operating under Uniform Rule 42, Conference and Free Conference Committees. The conference committee has convened to resolve the differences between CSHB 311(STA) am, which has passed the House, and SCS CSHB 311(RLS), which has passed the Senate. Chair Hawker explained the procedure would be for the committee to bring up both versions of the bill, reject both versions, and then to request the powers of limited conference. Under the presumption that the Senate President and the Speaker of the

House will grant the committee's request, the committee will proceed with a proposed committee substitute.

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SENATOR MEYER moved to accept SCS CSHB 311(RLS).

[4:24:48 PM](#)

CHAIR HAWKER objected.

[4:24:53 PM](#)

A roll call vote was taken. Representatives Johnson, Kerttula, and Hawker voted against the motion to accept SCS CSHB 311(RLS). Senators Hoffman, Stevens, and Meyer voted in favor of it. Therefore the motion to accept SCS CSHB 311(RLS) failed by a vote of 0-3 from the House members, and 3-0 from the Senate members. [Please note that a majority of the membership of the committee from each house must be in agreement in order to take action in a conference committee.]

[4:25:26 PM](#)

REPRESENTATIVE JOHNSON moved to accept CSHB 311(STA) am.

[4:25:35 PM](#)

SENATOR MEYER objected.

[4:25:38 PM](#)

A roll call vote was taken. Representatives Johnson, Kerttula, and Hawker voted in favor of the motion to accept CSHB 311(STA) am. Senators Hoffman, Stevens, and Meyer voted against it. Therefore, the motion to accept CSHB 311(STA) am failed with a vote of 3-0 from the House members and 0-3 from the Senate members. [Please note that a majority of the membership of the committee from each house must be in agreement in order to take action in a conference committee.]

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SENATOR MEYER moved to request limited powers of free conference for HB 311. Hearing no objection, the motion was accepted.

REPRESENTATIVE HAWKER advised that a request letter was prepared and ready for signature by members of the committee.

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The committee took an at-ease from 4:27 p.m. to 4:28 p.m.

[4:28:37 PM](#)

REPRESENTATIVE HAWKER asked for a motion contingent upon receiving the powers of limited free conference.

[4:29:00 PM](#)

SENATOR MEYER moved that contingent upon the committee receiving the powers of limited free conference, the committee adopt the conference committee substitute (CCS) for HB 311, Version 27-LS1233\U, Bullard, 2/15/12.

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REPRESENTATIVE HAWKER objected. He informed the committee the conference committee substitute is the same as the bills passed both by the House and Senate except for changes in Sections 4 and 7. The change in Section 4 provides that the Alaska Public Offices Commission (APOC), Department of Administration (DOA) may not change the manner or format in which reports of a candidate are filed in the middle of a campaign cycle, but that changes in electronic reporting must be mandated between campaign cycles. The change Section 7 adds Section 4 to the retroactivity clauses, in order to make the active portions of the bill retroactive to 12/1/2011, which would encompass the current reporting period.

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SENATOR STEVENS observed that the intent has always been for complete transparency and honest disclosure in the reports filed with APOC. However, he expressed his belief that APOC is not ready to go totally electronic as there are "bugs in the system." Ideally, an all-electronic filing system will be easier for all, but there needs to be a one-year transition period, thus filing by electronic or hard copy should be accepted through 2/15/13. Furthermore, APOC should be placed on notice to get its system up and running.

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REPRESENTATIVE HAWKER agreed. This legislation will provide additional policy guidelines on how to ensure that potential candidates for state office are not disenfranchised and that APOC uses a best practices mode of operation.

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REPRESENTATIVE JOHNSON countered the presumption that legislators believe APOC is "inherently bad." In fact, state employees in all departments - almost without exception - are hard-working and dedicated, and this action is not a reflection on the staff at APOC.

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REPRESENTATIVE HAWKER removed his objection. There being no further objection, the committee adopted CCS HB 311, Version 27-LS1233\U, contingent upon receiving the powers of free conference.

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#### **ADJOURNMENT**

There being no further business before the committee, the Conference Committee on HB 331 meeting was adjourned at 4:35 p.m.