

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

March 15, 2013

1:13 p.m.

MEMBERS PRESENT

Representative Wes Keller, Chair
Representative Bob Lynn, Vice Chair
Representative Gabrielle LeDoux
Representative Lance Pruitt
Representative Max Gruenberg

MEMBERS ABSENT

Representative Neal Foster
Representative Charisse Millett

COMMITTEE CALENDAR

CONFIRMATION HEARING(S):

Commission on Judicial Conduct

Amy Gurton Mead - Juneau

- CONFIRMATION(S) ADVANCED

Select Committee on Legislative Ethics

Antionette "Toni" Mallot - Juneau

- CONFIRMATION(S) ADVANCED

HOUSE BILL NO. 104

"An Act relating to election practices and procedures; relating to the election of an advisory school board in a regional educational attendance area; and providing for an effective date."

- MOVED CSHB 104(JUD) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 104

SHORT TITLE: ELECTION PROCEDURES; REAA ADVISORY BOARDS

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

02/06/13	(H)	READ THE FIRST TIME - REFERRALS
02/06/13	(H)	STA, JUD
02/19/13	(H)	STA AT 8:00 AM CAPITOL 106
02/19/13	(H)	Moved CSHB 104(STA) Out of Committee
02/19/13	(H)	MINUTE(STA)
02/20/13	(H)	STA RPT CS(STA) NT 5DP 2NR
02/20/13	(H)	DP: HUGHES, ISAACSON, GATTIS, KREISS- TOMKINS, LYNN
02/20/13	(H)	NR: MILLETT, KELLER
02/27/13	(H)	JUD AT 1:00 PM CAPITOL 120
02/27/13	(H)	Heard & Held
02/27/13	(H)	MINUTE(JUD)
03/04/13	(H)	JUD AT 1:00 PM CAPITOL 120
03/04/13	(H)	Scheduled But Not Heard
03/11/13	(H)	JUD AT 1:00 PM CAPITOL 120
03/11/13	(H)	Heard & Held
03/11/13	(H)	MINUTE(JUD)
03/15/13	(H)	JUD AT 1:00 PM CAPITOL 120

WITNESS REGISTER

AMY GURTON MEAD, Appointee
Commission on Judicial Conduct
Juneau, Alaska

POSITION STATEMENT: Spoke as an appointee to the Commission on Judicial Conduct.

ANTOINETTE "TONI" MALLOTT, Appointee
Select Committee on Legislative Ethics
Yakutat, Alaska

POSITION STATEMENT: Spoke as an appointee to the Select Committee on Legislative Ethics.

GAIL FENUMIAI, Director
Division of Elections
Office of the Lieutenant Governor
Juneau, Alaska

POSITION STATEMENT: During hearing of HB 104, answered questions.

ALPUEUS BULLARD, Attorney
Legislative Legal Counsel
Legislative Legal and Research Services
Legislative Affairs Agency (LAA)
Juneau, Alaska

POSITION STATEMENT: During the hearing of HB 104, provided information regarding Amendment 1.

TED MADSEN, Staff
Representative Gruenberg
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing of HB 104, provided information.

ACTION NARRATIVE

[1:13:18 PM](#)

CHAIR WES KELLER called the House Judiciary Standing Committee meeting to order at 1:13 p.m. Representatives Keller, LeDoux, Pruitt, and Gruenberg were present at the call to order. Representatives Millett and Foster were excused.

Confirmation Hearing(s): **Commission on Judicial Conduct**

[1:13:47 PM](#)

CHAIR KELLER announced that the first order of business would be consideration of the appointment of Amy Gurton Mead to the Commission on Judicial Justice.

[1:14:49 PM](#)

AMY GURTON MEAD, Appointee, Commission on Judicial Conduct, informed the committee that she is an assistant municipal attorney for the City & Borough of Juneau. She explained that she learned about the Commission on Judicial Conduct from a judge with which she practiced since becoming a lawyer in 1998. Although she said she found the subject matter interesting, more importantly she felt that it served an important role in creating and maintaining a strong judiciary and fostering public trust in that judiciary. Ms. Gurton Mead opined that everyone should volunteer time to their community and profession when able to do so. Therefore, when this opportunity presented itself, she applied. She said she was honored to be asked to join the Commission on Judicial Conduct. She noted that she has attended two meetings and remains happy that she applied.

[1:16:07 PM](#)

CHAIR KELLER reminded members that [signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees] and that the nominations are merely forwarded to the full legislature for confirmation or rejection.

[1:16:25 PM](#)

REPRESENTATIVE GRUENBERG inquired as to Ms. Gurton Mead's job responsibilities as an assistant municipal attorney.

MS. GURTON MEAD answered that she mainly does civil work. She then explained that she was a judicial clerk for a Superior Court judge in Ketchikan, a prosecutor in Ketchikan for a couple of years, and in private practice in Juneau for about 12 years during which time she primarily focused on municipal law and civil litigation. She noted that she spent a short time as an assistant attorney general after which she joined the City & Borough of Juneau as an assistant municipal attorney, as such she primarily handles municipal law, litigation for the city, and is involved in the criminal side when she is able. In further response to Representative Gruenberg, Ms. Gurton Mead confirmed that she has familiarity with judges as it's not just an office practice.

Select Committee on Legislative Ethics

[1:17:56 PM](#)

CHAIR KELLER announced that the next order of business would be consideration of the appointment of Antoinette "Toni" Mallott to the Select Committee on Legislative Ethics.

[1:18:19 PM](#)

ANTOINETTE "TONI" MALLOTT, Appointee, Select Committee on Legislative Ethics, informed the committee that she is a Native Alaskan retired teacher who has served three years on the Select Committee on Legislative Ethics. She noted that she has learned a lot serving on the Select Committee on Legislative Ethics, which she characterized as comprised of fair and honest individuals. Ms. Mallott related her support for the high moral and ethical standards on state statutes.

[1:20:35 PM](#)

CHAIR KELLER reminded members that [signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees] and that the nominations are merely forwarded to the full legislature for confirmation or rejection.

[1:20:52 PM](#)

REPRESENTATIVE LYNN made a motion to forward the name of Amy Gurton Mead to the Commission on Judicial Conduct and the name of Antoinette "Toni" Mallott to the Select Committee on Legislative Ethics. There being no objection, both names were forwarded to the full legislature for consideration.

HB 104-ELECTION PROCEDURES; REAA ADVISORY BOARDS

[1:21:26 PM](#)

CHAIR KELLER announced that the final order of business would be HOUSE BILL NO. 104, "An Act relating to election practices and procedures; relating to the election of an advisory school board in a regional educational attendance area; and providing for an effective date." [Before the committee was CSHB 104(STA); adopted as the work draft on 2/27/2013 was the proposed committee substitute (CS) for HB 104, Version 28-GH1983\O, Bullard, 2/27/13, which was amended on 3/11/13.]

REPRESENTATIVE GRUENBERG moved to adopt the proposed committee substitute (CS) for HB 104, Version 28-GH1983\P, Bullard, 3/12/13, as the working document. There being no objection, Version P was before the committee.

REPRESENTATIVE GRUENBERG noted that the amendments adopted thus far are included in Version P.

[1:23:21 PM](#)

GAIL FENUMIAI, Director, Division of Elections, Office of the Lieutenant Governor, stated that Version P appears to be adequate and fine. She further stated that she is okay with the amendments in Version P.

[The audio is inaudible from 1:23:44-1:25:54 p.m.]

CHAIR KELLER closed public testimony on HB 104.

[1:25:27 PM](#)

The committee took an at-ease from 1:25 p.m. to 1:27 p.m.

[1:27:56 PM](#)

ALPUEUS BULLARD, Attorney, Legislative Legal Counsel, Legislative Legal and Research Services, Legislative Affairs Agency (LAA), specified the necessary technical changes to Amendment 1 that would conform it to Version P.

[1:28:53 PM](#)

REPRESENTATIVE LEDOUX moved that the committee adopt Amendment 1, labeled 28-GH1983\0.18, Bullard, 3/12/13, which read [with technical changes to conform to Version P]:

Page 5, lines 8 - 17:

Delete all material and insert:

"* **Sec. 11.** AS 15.20.081(h) is amended to read:

(h) Except as provided in AS 15.20.480, an absentee ballot returned by mail from outside the United States or from an overseas voter qualifying under AS 15.05.011 that has been marked and mailed not later than election day may not be counted unless the ballot is received by the election supervisor not later than the close of business on the

(1) 10th day following a primary election or special election under AS 15.40.140; or

(2) 15th day following a general election, special runoff election, or special [THE] election, other than a special election described in (1) of this subsection."

Page 13, line 21:

Delete "AS 15.20.081(h), 15.20.081(i),"

Insert "AS 15.20.081(i)"

REPRESENTATIVE PRUITT objected.

[1:30:38 PM](#)

REPRESENTATIVE LEDOUX explained that her intention with Amendment 1 is to [count an absentee ballot received] 15 days [following] a general election, a special runoff election, or any other special election. The Division of Elections, she noted, suggested the change for both the primary and the general

elections because of things the division needed to do after the primary that placed them in a time crunch. However, Representative LeDoux opined that it doesn't appear that the time crunch is related to the general election. Therefore, she proposed Amendment 1 so that individuals overseas still have 15 days from the date the ballot was mailed to be received [and counted] by the division.

[1:31:52 PM](#)

MS. FENUMIAI said that Amendment 1 would still allow the division to close out the primary in a timely fashion and mail ballots 45 days prior to the general election. She concurred with Representative LeDoux that there isn't a time crunch following the general election to mail any additional ballots, and thus receipt of ballots 15 days following the general election would work for the division processes. The division, she remarked, will have to be cognizant and let voters know that there are different deadlines for both election types.

REPRESENTATIVE PRUITT removed his objection.

There being no further objection, Amendment 1 was adopted.

[1:32:47 PM](#)

REPRESENTATIVE LEDOUX moved that the committee adopt Amendment 2, labeled 29-GH1983\0.19, Bullard, 3/12/13, which read [with technical changes to conform to Version P]:

Page 2, following line 27:

Insert a new bill section to read:

"* **Sec. 4.** AS 15.10.170 is amended by adding a new subsection to read:

(b) In addition to the watchers appointed under (a) of this section, in a primary election, special election under AS 15.40.140, or special runoff election under AS 15.40.141, each candidate may appoint one watcher in each precinct and counting center."

Renumber the following bill sections accordingly.

REPRESENTATIVE PRUITT objected for discussion purposes.

[1:33:31 PM](#)

REPRESENTATIVE LEDOUX explained that Amendment 2 would address poll watchers such that each candidate would choose his/her poll watcher rather than the party. She recalled when she ran against an incumbent in 2004 and was uncomfortable with the poll watcher that was selected by the party because most of the people in the party supported the incumbent.

REPRESENTATIVE LYNN expressed favor with Amendment 2.

CHAIR KELLER asked whether Amendment 2 would pose an additional burden or cost to the Division of Elections.

MS. FENUMIAI answered that there wouldn't be a financial impact to the division. However, there is the possibility that it could cause additional angst for election staff because it could result in more people in the polling place all day long, which may cause voters to inquire about the extra people. Administratively, the division will be able to handle this, she said.

[1:35:50 PM](#)

REPRESENTATIVE PRUITT inquired as to any other ramifications of Amendment 2.

MS. FENUMIAI replied that perhaps it could cause more confusion at the polling places, particularly since voters don't understand the poll watcher provisions. Many voters, she related, feel uncomfortable that names are called out and marked on a list. Currently, it can be difficult for election workers to enforce procedures with poll workers. Again, she noted that there is the possibility of increasing the number of people at the polling place, many of which are small locations.

REPRESENTATIVE PRUITT asked whether Amendment 2 relates to municipal elections.

MS. FENUMIAI answered that it would depend upon the individual municipal ordinances. If the municipal ordinances refer to Title 15, then Amendment 2 would relate to municipal elections. If a municipal ordinance doesn't refer to Title 15, there is the possibility that [the municipality] may need to make adjustments.

REPRESENTATIVE PRUITT surmised then that there is a possibility that there could be ramifications to Amendment 2 if a municipal ordinance is tied to this. He then pointed out that Anchorage's

mayoral election is a nonpartisan election in which 15 people could run. Therefore, there could be 15 people as poll watchers, which he understood to be the concern Ms. Fenumiai is discussing. He surmised that it could also impact a situation in which there is a large primary or a special election.

[1:39:36 PM](#)

REPRESENTATIVE LEDOUX opined that she wasn't sure the current statute would relate to those nonpartisan municipal elections because they discuss the party selecting the poll watcher.

MS. FENUMIAI explained that Title 15 does only apply to state conducted elections. As Representative Pruitt stated, it would depend upon the municipal ordinances provisions related to its election code.

REPRESENTATIVE PRUITT suggested then that the legislature might not know the ramifications until cities review their own ordinances and have to make potential adjustments.

[1:41:03 PM](#)

CHAIR KELLER related his understanding that under existing statute one can't be present in a polling place unless one is present to vote. He asked whether it's a regular occasion that people are asked to leave.

MS. FENUMIAI replied that although it isn't a regular occasion, there have been occasions when someone has been hanging around and making people feel uncomfortable. Obviously, elections are an open process that people are allowed to observe. Still, polling places must be kept as secure as possible, and therefore it's difficult for election workers to keep a watch on extra people.

[1:42:01 PM](#)

REPRESENTATIVE GRUENBERG asked what a counting center is and whether more than one poll watcher should be allowed in some of the larger counting centers, such as Anchorage.

MS. FENUMIAI explained that a counting center is a location where ballots are counted, such as at the polling places or the regional offices at the Division of Elections. In further response, Ms. Fenumiai reminded the committee that the division's process is very open and transparent. In fact,

observers are allowed during the absentee and questioned ballot review and counting processes. She recalled that the Anchorage region 2 office has five Accu-Vote units counting absentee and questioned ballots at once. The Anchorage region 2 office is the largest office with the largest number of Accu-Vote machines. Ms. Fenumiai, referring to ballot security, pointed out that observers watch from a distant and aren't allowed to be behind the tables or touching ballots.

REPRESENTATIVE GRUENBERG asked whether one observer could adequately monitor a five-table room.

MS. FENUMIAI, noting that she couldn't attest to an individual's observation skills, said that there isn't much to watch other than election staff scanning ballots through the Accu-Vote machine and obtaining copies of tapes after the machine completes tabulating a district's ballots. She then explained that the job of the two bipartisan people is to ensure that the number of ballots in the envelope matches the number of ballots scanned into the unit. If the counts are off, the process starts over.

[1:45:10 PM](#)

REPRESENTATIVE PRUITT posed a scenario in which there is a contested primary election for a three-person race. He then asked whether each candidate can already have an observer.

MS. FENUMIAI explained that during the post-election process, candidates appoint observers to attend the absentee and questioned ballot review and they are allowed to have an observer at each table conducting the absentee and questioned ballot review. The division, she related, has been very open, hasn't specified a number of observers, and has allowed people to observe from a distance. Ms. Fenumiai stated that the division attempts to maintain crowd control while allowing the process to be open to the public.

REPRESENTATIVE PRUITT removed his objection, but noted that a counting center may not be necessary to be included in [Amendment 2].

REPRESENTATIVE GRUENBERG interjected that he liked including the counting centers.

CHAIR KELLER, upon determining there was no further objection, announced that Amendment 2 was adopted.

[1:47:16 PM](#)

[The audio is inaudible from 1:48:05-1:48:42 p.m.]

REPRESENTATIVE GRUENBERG moved to adopt Amendment 3, labeled 28-GH1983\P.5, Bullard, 3/14/13, which read:

Page 4, lines 20 - 24:

Delete all material and insert:

"(2) permit a qualified voter to apply to vote an absentee ballot by electronic transmission at any time during a calendar year, subject to AS 15.20.081(b);"

REPRESENTATIVE PRUITT objected.

[The audio is inaudible from 1:48:55-1:49:20 p.m.]

[1:49:25 PM](#)

TED MADSEN, Staff, Representative Gruenberg, Alaska State Legislature, explained that in Version P the request to utilize an absentee ballot by electronic transmission is only applicable to absent uniformed service voters and overseas voters. Amendment 3 would extend the right to vote an absentee ballot by electronic transmission to any Alaskan voter.

REPRESENTATIVE GRUENBERG interjected that Amendment 3 would provide everyone the same right to apply for an absentee ballot by electronic transmission. He explained that with an absentee ballot by electronic transmission, the voter is sent the ballot electronically and the individual has to sign it and mail it back. Representative Gruenberg highlighted that Amendment 3 would allow people who are currently unable to obtain ballots, such as individuals who are shut-ins, located in the Bush, or for whom it's easier to vote from home to obtain a ballot electronically. From a policy perspective, he opined that it's important for anyone to receive his/her ballot. The individual will still have to either mail in or deliver the absentee ballot.

[1:51:51 PM](#)

REPRESENTATIVE LEDOUX inquired as to whether individuals who aren't overseas or in the military are already allowed to receive a ballot via an electronic transmission. She further inquired as to whether Version P changes that.

MS. FENUMIAI concurred that any voter may apply to receive a ballot via electronic transmission. The difference, however, is that the federal law currently allows military and overseas voters to apply to receive that ballot any time during the calendar year. Voters who aren't in the military or overseas would have to wait until 15 days prior to the election to apply to receive a ballot via electronic transmission, but they have always been able to vote it. Amendment 3 would allow all voters to apply to receive a ballot via electronic transmission at any time through the year rather than having two different filing periods.

[1:52:58 PM](#)

REPRESENTATIVE PRUITT expressed a preference, in terms of the administration of it by the division, to maintain the requirement to wait until 15 days prior to the election to apply to receive a ballot via electronic transmission.

CHAIR KELLER inquired as to whether the change proposed in Amendment 3 would create an additional burden for the division.

MS. FENUMIAI answered that she didn't foresee Amendment 3 causing a different administrative burden on the division. In fact, the change might make quite a few voters happy to not have to wait until 15 days prior to the election. Therefore, passage of Amendment 3 would result in everyone being able at any time to receive a ballot via electronic transmission.

REPRESENTATIVE PRUITT questioned what happens to an individual who doesn't receive a ballot via electronic transmission because the division's email sent it to spam and it's not close to the election timeframe and isn't being awaited.

MS. FENUMIAI explained that could happen now with military and overseas voters as they could apply in January for an absentee ballot by electronic transmission and not receive it until 45 days before an election. When the division receives an application, the voter receives an email that the division received the application to receive the ballot by electronic transmission and that the voter will be notified when he/she can access the ballot. Ms. Fenumiai opined that under Amendment 3 it wouldn't be different than those who qualify now to apply any time during the year and still have to wait until 45 days prior to the election to receive their ballot.

[1:56:35 PM](#)

REPRESENTATIVE LEDOUX asked if those receiving their ballot via electronic transmission waive their right to privacy.

MS. FENUMIAI concurred, adding that statute specifies that the voter has to acknowledge that he/she is waiving his/her right to a confidential ballot. The aforementioned has been in statute since fax voting was implemented in the 1990s.

REPRESENTATIVE LEDOUX inquired as to the percentage of the absentee ballots that are by electronic transmission or fax.

MS. FENUMIAI answered that it's a small number. Prior to the online ballot delivery system, in a presidential election year there might be 2,000-3,000 voting by fax. In the most recent election, she recalled that about 7,000 voters chose to receive a ballot by electronic transmission, with the majority of them using the online ballot delivery system versus the fax machine. In further response to Representative LeDoux, Ms. Fenumiai explained that the voter has to print their oath and affidavit, sign, scan, and send it as an attachment by email, mail, or fax.

[1:58:16 PM](#)

REPRESENTATIVE GRUENBERG noted that Amendment 3 is a simple amendment that attempts to make it easier for others to vote.

[1:58:41 PM](#)

REPRESENTATIVE PRUITT removed his objection.

CHAIR KELLER objected, commenting that he wasn't sure that it would be clear to voters that they are waiving their privacy rights. He characterized Amendment 3 as a big change for which the ramifications are unknown.

[1:59:32 PM](#)

REPRESENTATIVE PRUITT asked when the affidavit is completed.

MS. FENUMIAI explained that first the voter has to apply and submit a completed application with signature. The oath and affidavit envelope is completed at the time of voting. The oath and affidavit envelope has to be signed by the voter who has to provide a unique identifier and has to be witnessed by at least one person over the age of 18 who signs to confirm that he/she

saw the voter sign the oath and affidavit envelope. In response to Representative LeDoux, Ms. Fenumiai clarified that the voter oath and certificate includes language specifying that the voter acknowledges he/she is waiving a portion of his/her right to a secret ballot by casting a vote in this manner. These ballots come to the division to be placed in secrecy sleeves so the Absentee Board can review them as are all absentee ballots.

CHAIR KELLER asked whether for those voters overseas it's conceivable not to learn they are waiving their right to a confidential ballot until right before they vote.

MS. FENUMIAI offered that the notice to the voter that he/she is waiving a portion of his/her right to a secret ballot might also be on the application, but said that would require further research to confirm.

REPRESENTATIVE LEDOUX surmised then that for the overseas voter, it's a choice of waiving the right of privacy or not voting. The aforementioned is the case currently, she noted. However, a voter in the state who receives the notice that by using an absentee ballot by electronic transmission they are waiving a portion of their right to privacy has the choice of either waiving their privacy rights or finding a way to get to the polls on election day.

[2:03:01 PM](#)

REPRESENTATIVE GRUENBERG expressed hope that Chair Keller could reconsider his objection to Amendment 3, which only allows the voter to apply a little earlier than the 15 days.

CHAIR KELLER pointed out, however, that passage of Amendment 3 also allows more people to have access to an [absentee ballot] by electronic transmission.

MS. FENUMIAI clarified that the right to vote by electronic transmission is open to everyone; it's just the period of time when a voter can apply for an application is different. When fax voting was implemented, it was to accommodate overseas military voters and was to be used as a method of last resort. Ms. Fenumiai said although she couldn't predict whether Amendment 3 would open up online electronic voting to more people, she related that this year the number of online electronic voters increased this year.

REPRESENTATIVE LEDOUX surmised then that currently everyone has the right to vote by electronic transmission, but military and overseas voter can apply anytime during the year whereas others can only apply 15 days prior to an election. Therefore, the only change with Amendment 3 is that anyone can apply to vote an absentee ballot by electronic transmission at any time.

MS. FENUMIAI stated her agreement with Representative LeDoux's understanding. In response to an earlier question, Ms. Fenumiai specified that the waiver of confidentiality is on the voting materials not on the ballot.

[2:05:56 PM](#)

CHAIR KELLER still maintained his objection to Amendment 3, and noted that he isn't asking committee members to follow his lead and doesn't mind being "rolled."

REPRESENTATIVE LYNN said he has difficulty deciding on Amendment 3.

[2:06:40 PM](#)

A roll call vote was taken. Representatives LeDoux and Gruenberg voted in favor of the adoption of Amendment 3. Representatives Lynn, Pruitt, and Keller voted against it. Therefore, Amendment 3 failed to be adopted by a vote of 2-3.

[2:07:07 PM](#)

REPRESENTATIVE GRUENBERG moved to adopt Amendment 4, labeled 28-GH1983\P.3, Bullard, 3/14/13, which read:

Page 5, following line 17:

Insert a new bill section to read:

"* **Sec. 12.** AS 15.20.081(i) is repealed and reenacted to read:

(i) An absentee ballot application submitted by a qualified voter or on behalf of a qualified voter is valid through the two general elections following the date the application is submitted. If a voter casts an absentee ballot in accordance with (d) - (f) of this section, the voter's absentee ballot application remains valid through the two general elections following the election in which the ballot was cast. However, nothing in this subsection requires the director or an election supervisor to send an absentee

ballot to a voter after the director or election supervisor has received actual notice that mail sent to the permanent mailing address of the voter, or a different address provided by the voter, is undeliverable to the voter at that address."

Renumber the following bill sections accordingly.

Page 13, line 21:

Delete ", 15.20.081(i),"

REPRESENTATIVE PRUITT objected.

[2:07:49 PM](#)

MR. MADSEN explained that Amendment 4 would repeal and reenact AS 15.20.081(i) to allow for an absentee ballot application submitted by a qualified voter to be valid for two general elections following the date the application was submitted. However, if the division receives notice that an item of mail sent to the registered voter at the address he/she has provided on the absentee ballot is undeliverable, the division no longer needs to send materials to the voter at that address. Amendment 4 replaces the repeal of AS 15.20.081(i) in the current legislation, which addresses allowing qualified absent uniformed service members and overseas voters to have a similar system of rolling absentee ballot.

[2:09:40 PM](#)

CHAIR KELLER noted that his objection is not to the concept of Amendment 4 but rather that the concept is another piece of legislation in another committee. Therefore, he opined that it's inappropriate for this committee to have this discussion at this time. Chair Keller then requested that the offeror of the Amendment 4 withdraw it, otherwise he will object.

[2:10:44 PM](#)

The committee took an at-ease from 2:10 p.m. to 2:15 p.m.

[2:15:35 PM](#)

REPRESENTATIVE GRUENBERG withdrew Amendment 4.

[2:15:46 PM](#)

REPRESENTATIVE GRUENBERG moved that the committee rescind its action in failing to adopt Amendment 3. There being no objection, the committee rescinded its action in failing to adopt Amendment 3 [and the committee treated the motion to adopt Amendment 3 with Chair Keller's objection as once again before it].

REPRESENTATIVE GRUENBERG informed the committee that adoption of Amendment 3 wouldn't increase the number of voters; it merely provides voters more time to apply.

CHAIR KELLER withdrew his objection to Amendment 3.

There being no further objection, Amendment 3 was adopted.

[2:17:15 PM](#)

REPRESENTATIVE LYNN moved to report CSHB 104, Version 28-GH1983\P, Bullard, 3/12/13, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 104(JUD) was reported from the House Judiciary Standing Committee.

[2:18:08 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:18 p.m.