

**ALASKA STATE LEGISLATURE  
HOUSE STATE AFFAIRS STANDING COMMITTEE**

April 27, 2023

3:06 p.m.

**MEMBERS PRESENT**

Representative Laddie Shaw, Chair  
Representative Stanley Wright, Vice Chair  
Representative Ben Carpenter  
Representative Craig Johnson  
Representative Jamie Allard  
Representative Jennie Armstrong  
Representative Andi Story

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 129

"An Act relating to voter registration; and providing for an effective date."

- MOVED CSHB 129 (STA) OUT OF COMMITTEE

HOUSE BILL NO. 42

"An Act relating to the elimination or modification of state agency publications that are outdated, duplicative, or excessive."

- HEARD & HELD

HOUSE BILL NO. 146

"An Act relating to fireworks; repealing restrictions on the sale of fireworks; directing the Department of Public Safety to adopt fireworks regulations; and providing for an effective date."

- MOVED CSHB 146 (STA) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 129

SHORT TITLE: VOTER REGISTRATION

SPONSOR(s): JUDICIARY

03/22/23 (H) READ THE FIRST TIME - REFERRALS  
03/22/23 (H) STA, JUD  
03/28/23 (H) STA AT 3:00 PM GRUENBERG 120  
03/28/23 (H) Scheduled but Not Heard  
03/30/23 (H) STA AT 3:00 PM GRUENBERG 120  
03/30/23 (H) Heard & Held  
03/30/23 (H) MINUTE(STA)  
04/27/23 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 42

SHORT TITLE: ELIMINATE UNNECESSARY AGENCY PUBLICATIONS  
SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

01/23/23 (H) READ THE FIRST TIME - REFERRALS  
01/23/23 (H) STA, FIN  
04/13/23 (H) STA AT 3:00 PM GRUENBERG 120  
04/13/23 (H) <Bill Hearing Canceled>  
04/27/23 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 146

SHORT TITLE: REGULATION OF FIREWORKS  
SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

03/29/23 (H) READ THE FIRST TIME - REFERRALS  
03/29/23 (H) STA, L&C  
04/13/23 (H) STA AT 3:00 PM GRUENBERG 120  
04/13/23 (H) Heard & Held  
04/13/23 (H) MINUTE(STA)  
04/27/23 (H) STA AT 3:00 PM GRUENBERG 120

**WITNESS REGISTER**

REPRESENTATIVE SARAH VANCE  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 129, on behalf of the House Judiciary Standing Committee, sponsor by request, chaired by Representative Vance.

CAROL BEECHER, Director  
Division of Elections  
Office of the Lieutenant Governor  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 129.

JAKE ALMEIDA, Staff  
Representative Sarah Vance  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 129 on behalf of the House Judiciary Standing Committee, sponsor by request, of which Representative Vance chairs.

PALOMA HARBOUR, Fiscal Management Analyst  
Office of Management and Budget  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 42, on behalf of the House Rules Standing Committee, sponsor by request of the governor, of which Representative C. Johnson chairs.

#### **ACTION NARRATIVE**

[3:06:22 PM](#)

**CHAIR LADDIE SHAW** called the House State Affairs Standing Committee meeting to order at 3:06 p.m. Representatives Allard, Armstrong, Story, Wright, and Shaw were present at the call to order. Representatives Carpenter and C. Johnson arrived as the meeting was in progress.

#### **HB 129-VOTER REGISTRATION**

[3:07:06 PM](#)

CHAIR SHAW announced that the first order of business would be HOUSE BILL NO. 129, "An Act relating to voter registration; and providing for an effective date."

[3:08:06 PM](#)

The committee took a brief at-ease.

[3:08:29 PM](#)

REPRESENTATIVE STORY moved to adopt Amendment 1 to HB 129, labeled 33-LS0668\A.1, Klein, 4/5/23, which read:

Page 2, line 8:  
Delete "any"  
Insert "a"  
Following "kept.":

Insert "This subsection may not be construed to authorize entry into a private residence in which fireworks may be stored for personal use."

REPRESENTATIVE C. JOHNSON objected.

[3:08:36 PM](#)

REPRESENTATIVE STORY explained that Amendment 1 would move the date that the director examines the master registration voter list from January to April of each calendar year. In talking to local election officials, she said, the Permanent Fund Dividends (PFDs) applications are collected through March 31 of each year, thereby providing the [Division of Elections (DOE)] with current addresses for registrants. She pointed out that moving the date to after the registration period would provide the most recent addresses for individuals whose mail had been returned to the division.

CHAIR SHAW invited the bill sponsor to comment on Amendment 1.

[3:09:59 PM](#)

REPRESENTATIVE SARAH VANCE, Alaska State Legislature, on behalf of the House Judiciary Standing Committee, sponsor by request, deferred to DOE.

CHAIR SHAW asked whether the objection was maintained.

REPRESENTATIVE C. JOHNSON asked whether the division was available to answer questions.

[3:10:19 PM](#)

The committee took an at-ease from 3:10 p.m. to 3:12 p.m.

[3:12:22 PM](#)

CHAIR SHAW asked whether the objection was maintained.

REPRESENTATIVE C. JOHNSON said he was prepared to remove his objection to Amendment 1 with the caveat that it would be reviewed in the next committee of referral.

CHAIR SHAW objected.

[3:12:56 PM](#)

The committee took a brief at-ease.

[3:13:12 PM](#)

REPRESENTATIVE ALLARD expressed concern that moving the date to April could interfere with municipal elections. She requested clarification from DOE as to whether this would be the case.

[3:14:25 PM](#)

CAROL BEECHER, Director, Division of Elections, Office of the Lieutenant Governor, asked Representative Allard to repeat the question.

REPRESENTATIVE ALLARD expressed concern that updating the voter rolls in April could interfere with the Municipality of Anchorage's local elections. She opined that doing it in January would be more efficient.

CHAIR SHAW clarified that Amendment 1 proposed the replacement of January [for examining the master register] with April of each calendar year.

[3:15:30 PM](#)

MS. BEECHER expressed uncertainty concerning impact on municipal elections, as the division does not run these elections. Nonetheless, she confirmed that April was "close to the middle of the work" conducted by DOE during an election year. She added that inputting the PFD records is a manual process and time consuming.

REPRESENTATIVE ALLARD asked whether Amendment 1 would be considered a friendly amendment.

CHAIR VANCE responded, per the comments from the director, Amendment 1 may create additional hardship, which would not be favorable towards the division's workload. For this reason, she said Amendment 1 would not be considered "friendly" at this time.

[3:17:17 PM](#)

REPRESENTATIVE STORY clarified that Amendment 1 is not related to cleaning up the voter rolls. She explained that the proposed amendment concerns individuals whose mail had been returned and

had not contacted the division in the two years preceding the election or voted in the last few elections. She opined that the PFD information could be valuable for the division to have the most current addresses for this subset of people. She withdrew Amendment 1.

[3:18:22 PM](#)

REPRESENTATIVE CARPENTER moved to adopt Amendment 2 to HB 129, labeled 33-LS0668\A.2, Klein, 4/11/23, which read:

Page 1, line 3, through page 2, line 1:

Delete all material and insert:

**"\* Section 1.** AS 15.07.130(a) is amended to read:

(a) Periodically, at times of the director's choosing, but **not** [NO] less frequently than in January of each calendar year, the director shall examine the master register maintained under AS 15.07.120 and shall send, by nonforwardable mail to the voter's registration mailing address, **and to the voter's electronic mail address, if available,** a notice requesting address confirmation or correction. **The notice must explain that the voter's registration will be inactivated unless the voter responds to the notice within 45 days after the date the notice is sent. The director shall send the notice** to each voter

(1) whose mail from the division has been returned to the division in the two years immediately preceding the examination of the register;

(2) who has not contacted the division in the two years immediately preceding the examination of the register **and** [; OR (3)] who has not voted or appeared to vote in the two **years** [GENERAL ELECTIONS] immediately preceding the examination of the register; **or**

**(3) who, after registering to vote in this state and in the two years immediately preceding the examination of the register, has**

**(A) registered to vote in another state;**

**(B) received a driver's license from another state;**

**(C) registered a vehicle in another state;**

**(D) received public assistance in another state;**

**(E) served on a jury in another state;**

**(F) obtained a resident hunting or fishing license in another state; or**

(G) moved to a different residence, according to information from the United States Postal Service national change of address program.

\* Sec. 2. AS 15.07.130(b) is amended to read:

(b) If a registered voter does [HAS] not respond to a notice sent under (a) of this section within 45 days after the date the notice is sent, the director shall inactivate the voter's registration [, WITHIN THE PRECEDING FOUR CALENDAR YEARS, CONTACTED THE DIVISION AND HAS NEITHER VOTED NOR APPEARED TO VOTE IN A LOCAL, REGIONAL SCHOOL BOARD, PRIMARY, SPECIAL, OR GENERAL ELECTION DURING THE LAST FOUR CALENDAR YEARS AND A NOTICE SENT TO THE VOTER UNDER (a) OF THIS SECTION WAS RETURNED AS UNDELIVERABLE, THE VOTER SHALL BE ADVISED BY A NOTICE SENT BY FORWARDABLE MAIL TO THE VOTER'S LAST KNOWN ADDRESS THAT REGISTRATION WILL BE INACTIVATED UNLESS THE VOTER RESPONDS TO THE NOTICE NO LATER THAN 45 DAYS AFTER THE DATE OF THE NOTICE SENT UNDER THIS SECTION]. The director shall maintain on the master register the name of a voter whose registration is inactivated. The director shall cancel a voter's inactive registration in accordance with the procedures set out in 42 U.S.C. 1973gg-6 (sec. 8, National Voter Registration Act of 1993) after the second general election that occurs after the registration becomes inactive if the voter does not contact the division or vote or appear to vote.

\* Sec. 3. AS 15.07.130(d) is amended to read:

(d) The notice sent under (a) [(b)] of this section must include a postage prepaid and pre-addressed return card on which the voter may state the voter's current address. The notice must indicate

(1) that the voter should return the card not later than 45 days after the date of the notice if the voter did not change residence;

(2) that failure to return the card by the 45-day deadline could result in removal of the voter's name from the official registration list for a subsequent election;

(3) that the voter's registration will be cancelled if the voter does not contact the division during, or vote or appear to vote in an election held during, the period beginning on the date of the notice and ending on the day after the last day of the fourth calendar year that occurs after the date of notice; and

(4) how the voter can continue to be eligible to vote if the voter has changed residence."

Renumber the following bill sections accordingly.

REPRESENTATIVE C. JOHNSON objected for the purpose of discussion.

[3:18:43 PM](#)

REPRESENTATIVE VANCE pointed out that various markers would indicate whether a person is taking up residence outside of Alaska. Amendment 2, she said, lists these markers, thereby sending a message to DOE when a person does not have an intent to return to the state. The pertinent markers are as follows: registered to vote in another state; received a driver's license from another state; registered a vehicle in another state; received public assistance in another state; served on a jury duty in another state; obtained a resident hunting or fishing license in another state; and moved to a different residence, according to the United State Postal Service national change of address program. She continued that the proposed amendment also outlines a method for [contact], which includes a notice sent by the division that requires a response within 45 days. Failure to do so would result in removal from the active voter roll list. She noted that the amendment would allow for an electronic response, as opposed to responding to the notice by mail.

[3:20:57 PM](#)

JAKE ALMEIDA, Staff, Representative Sarah Vance, Alaska State Legislature, on behalf of the House Judiciary Standing Committee, sponsor by request, clarified that subparagraphs (A)-(G) in Section 1 would not automatically take someone off the voter rolls.

[3:21:51 PM](#)

REPRESENTATIVE ARMSTRONG asked where the 45-day timeframe came from.

REPRESENTATIVE VANCE opined that 45 days was a reasonable amount of time to respond.

REPRESENTATIVE ARMSTRONG pointed out that many Alaskans split the year between Alaska and other places. She expressed concern that [45 days] was not enough time.

[3:22:40 PM](#)

REPRESENTATIVE STORY stated similar concerns about the 45 days, particularly for rural Alaska where mail moves slower. She asked Ms. Beecher's opinion of the 45-day timeline.

MS. BEECHER shared her understanding that the "non-forwardable" component could be problematic according to the national Voting Rights Act. Additionally, she was unsure how the division would receive the information listed in subparagraphs (C)-(F) of Amendment 1.

REPRESENTATIVE STORY sought to confirm that the word "nonforwardable" on page 1, line 6 was problematic.

MS. BEECHER confirmed that the Voting Rights Act requires voter notices be forwardable to allow for an opportunity to respond.

[3:24:53 PM](#)

REPRESENTATIVE ALLARD asked how information was received from PFD registrants.

MS. BEECHER said the division receives a list of names on a regular basis.

[3:25:47 PM](#)

REPRESENTATIVE CARPENTER pointed out that the "nonforwardable" language is already in statute, adding that Amendment 1 would not change this. He questioned whether this process was already in place because of the federal requirement.

MS. BEECHER offered to follow up with the requested information.

[3:26:41 PM](#)

REPRESENTATIVE C. JOHNSON removed his objection.

[3:26:44 PM](#)

REPRESENTATIVE STORY objected.

[3:26:49 PM](#)

A roll call vote was taken. Representatives Carpenter, C. Johnson, Allard, Wright, and Shaw voted in favor of Amendment 2. Representatives Story and Armstrong voted against it. Therefore, Amendment 2 to HB 129 was adopted by a vote of 5-2.

[3:27:30 PM](#)

CHAIR SHAW invited closing comments from members of the committee on HB 129, as amended.

REPRESENTATIVE ALLARD thanked the sponsor for bringing the legislation forward.

[3:27:55 PM](#)

REPRESENTATIVE WRIGHT moved to report HB 129, as amended, out of committee with individual recommendations and the accompanying fiscal notes.

REPRESENTATIVE VANCE commented on Representative Story's concern about the timing of the division's receipt of information from the Permanent Fund Dividend Division and the examination of the master register. She explained that after the Permanent Fund Dividend Division collects the information from dividend registrants, the raw list of data would be sent to DOE; however, she suggested that some PFD applicants would be ineligible. For this reason, she said she has suggested that the Permanent Fund Dividend Division send a second batch of "cleaned up" data. She indicated that the process is not a one-time event, adding that the division has been looking to receive more thorough information. Regarding Ms. Beecher's concern about Amendment 2, she shared her understanding that the Electronic Registration Information Center (ERIC) system offers much of the information listed in subparagraphs (C)-(F). She further stated that the proposed bill would require the use of government sources of information to find relevant information on voters, and this would ensure that every eligible voter is, indeed, an Alaskan.

[3:30:37 PM](#)

REPRESENTATIVE C. JOHNSON objected to the motion to report HB 129, as amended, out of committee.

[3:30:53 PM](#)

A roll call vote was taken. Representatives Wright, Carpenter, C. Johnson, Allard, Armstrong, and Shaw voted in favor of moving HB 129, as amended, out of committee. Representative Story voted against it. Therefore, CSHB 129(STA) was reported out of the House State Affairs Standing Committee by a vote of 6-1.

[3:31:38 PM](#)

The committee took an at-ease from 3:31 p.m. to 3:36 p.m.

**HB 42-ELIMINATE UNNECESSARY AGENCY PUBLICATIONS**

[3:37:30 PM](#)

CHAIR SHAW announced that the next order of business would be HOUSE BILL NO. 42, "An Act relating to the elimination or modification of state agency publications that are outdated, duplicative, or excessive."

[3:38:05 PM](#)

PALOMA HARBOUR, Fiscal Management Analyst, Office of Management and Budget (OMB), presented HB 42, on behalf of the House Rules Standing Committee, sponsor by request of the governor. She pointed out that House Bill 187 [passed during the Thirty-Second Alaska State Legislature] requires the governor to submit a bill every other year to eliminate or modify requirements for publications or reports deemed to be outdated, duplicative, or excessive. In accordance with these requirements, agencies submitted feedback to OMB during the last budget cycle on reports that should be eliminated or modified. She stated that HB 42 reflects this.

[3:38:59 PM](#)

MS. HARBOUR introduced the sectional analysis for HB 42 [included in the committee packet], which read as follows [original punctuation provided]:

Sec. 1: Amends AS 16.05.050(b) repeals the requirement the Big Game Opportunity report be physically submitted to the legislature as it is provided electronically

Sec. 2: Amends AS 16.05.130(b) by eliminating the publication by the Department of Fish and Game

reporting the money derived from waterfowl conservation tags and limited edition prints as this program was eliminated in Fiscal Year 2009

Sec. 3: Amends AS 18.65.086(b) requiring the Department of Public Safety to report the number of investigations that result in the Department of Family and Community Service taking temporary or permanent custody of a child. The Department of Public Safety does not have direct access to this information and the last time the information was reported to them was in 2012.

Sec. 4: AS 28.05.031 is conforming language due to the transfer of duties relating to the publishing of road rules and regulations from the Department of Public Safety to the Department of Administration

Sec. 5: Amends AS 33.30.017(b) repeals the requirement that the Department of Corrections shall annually report the collection and use of utility fees to the Legislature. The Department is not authorized to expend the fees outside the annual appropriation process

Sec. 6: Amends the provision of the Executive Budget Act (AS 37.07.020(f)) that was amended by HB 187 (32nd Legislature) to clarify and streamline the production of the outdated or excessive publications report

Sec. 7: Amends AS 37.07.040 requiring the Office of Management and Budget to report the amount of lapsing general funds to include the amount expended in the first half of the current fiscal year and projected to be expended for the remainder of the year

Sec. 8: Amends AS 37.07.060(b) requiring the Governor to submit the budgets in electronic format rather than in a joint message to a joint session

Sec. 9: Amends AS 37.13.170 removes the requirement of the Alaska Permanent Fund Corporation to publish the annual income statement and balance sheet in a newspaper and instead publish it electronically

Sec. 10 - 19 Make conforming amendments related to the repeal of AS 43.55.180 (a one-time report on oil

and gas taxes that has been completed and delivered to the legislature)

Sec. 20: Amends AS 47.14.112(a) is conforming language

Sec. 21: Amends AS 47.14.112(d) is conforming language

Sec. 22 and 23: Repeal outdated, duplicative, or excessive statutory reports identified by state agencies under AS 44.99.220.

[3:43:36 PM](#)

CHAIR SHAW sought to verify the zero fiscal note.

MS. HARBOUR confirmed [that the attached fiscal note was a zero fiscal note].

[3:43:45 PM](#)

REPRESENTATIVE STORY referred to Section 3 and sought to confirm that the Department of Family and Community Services (DFCS) would still provide a report.

MS. HARBOUR shared her understanding that a report on the number of investigations would still be provided by the Department of Public Safety (DPS); however, the number of children put into temporary or permanent custody because of these investigations would be excluded, as the exact number would not be provided by DFCS.

[3:44:33 PM](#)

REPRESENTATIVE STORY asked whether DFCS would have information on the [number of] children who were taken for temporary or permanent custody.

MS. HARBOUR responded, "I'm sure DFCS does have that, but it's not necessarily tied to every time that the Department of Public Safety has an investigation." She clarified that the department reports the total number of children who may have been placed in permanent or temporary custody; however, this number is not necessarily tied to a DPS investigation.

[3:45:14 PM](#)

REPRESENTATIVE CARPENTER requested further explanation of Section 5 of the proposed legislation.

MS. HARBOUR stated that the annual budget has provided DOC the authority to expend the utility fees. Further, as a part of the budget process, the reports detail the amount of incoming and expended revenue, in addition to how it is being expended. She clarified that under AS 33.30.017, the report requires separate reporting from the annual budget process, which OMB has deemed duplicative.

[3:46:34 PM](#)

CHAIR SHAW opened public testimony on HB 42; after ascertaining that there was no one who wished to testify, he closed public testimony.

[3:47:03 PM](#)

REPRESENTATIVE C. JOHNSON asked whether HB 42 would be an appropriate vehicle to implement electronic public notice requirements, as opposed to being published in a newspaper of record.

MS. HARBOUR expressed the believe that this suggestion would be a larger requirement related to separate statutes than those cited in HB 42. She offered to follow up with the committee.

REPRESENTATIVE C. JOHNSON said, "It certainly fits in the title, so I'll take that into consideration."

[3:48:01 PM](#)

REPRESENTATIVE CARPENTER asked why OMB's report on the amount of lapsing general funds would be unnecessary, per Section 7 of the bill.

MS. HARBOUR clarified that Section 7 would be changing the reporting requirement, not eliminating it. She said that OMB would continue to report the amount of projected lapse, in addition to the amount expended for the first half of the fiscal year, which has been informing the lapse projection.

[3:49:09 PM](#)

CHAIR SHAW announced that HB 42 was held over.

**HB 146-REGULATION OF FIREWORKS**

[3:49:36 PM](#)

CHAIR SHAW announced that the final order of business would be HOUSE BILL NO. 146, "An Act relating to fireworks; repealing restrictions on the sale of fireworks; directing the Department of Public Safety to adopt fireworks regulations; and providing for an effective date."

CHAIR SHAW acknowledged the zero fiscal note and proceeded with the amendment process.

[3:50:32 PM](#)

The committee took a brief at-ease.

[3:51:29 PM](#)

REPRESENTATIVE ALLARD moved to adopt [Conceptual] Amendment 1 to HB 146.

REPRESENTATIVE C. JOHNSON objected for the purpose of discussion.

[3:51:45 PM](#)

REPRESENTATIVE ALLARD explained that [Conceptual] Amendment 1 would delete "any" on page 2, line 8, and insert "a"; further, it would clarify that the subsection should not be construed to authorize entry into a private residence in which fireworks may be stored for personal use.

REPRESENTATIVE STORY expressed her appreciation for the proposed amendment, as it would clarify that entry into a private residence would not be allowed.

REPRESENTATIVE ALLARD noted that she and Representative Story collaborated on [Conceptual] Amendment 1.

REPRESENTATIVE C. JOHNSON removed his objection. There being no further objection, [Conceptual] Amendment 1 to HB 146 was adopted.

[3:53:18 PM](#)

REPRESENTATIVE WRIGHT moved to report HB 146, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 146(STA) was reported from the House State Affairs Standing Committee.

[3:53:50 PM](#)

The committee took an at-ease.

[3:54:07 PM](#)

CHAIR SHAW offered closing remarks.

[3:54:10 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 3:54 p.m.