

HOUSE FINANCE COMMITTEE
February 19, 2004
1:45 P.M.

TAPE HFC 04 - 26, Side A

CALL TO ORDER

Co-Chair Williams called the House Finance Committee meeting to order at 1:45 P.M.

MEMBERS PRESENT

Representative John Harris, Co-Chair
Representative Bill Williams, Co-Chair
Representative Kevin Meyer, Vice-Chair
Representative Mike Chenault
Representative Eric Croft
Representative Hugh Fate
Representative Richard Foster
Representative Mike Hawker
Representative Reggie Joule
Representative Carl Moses

MEMBERS ABSENT

Representative Bill Stoltze

ALSO PRESENT

Representative Les Gara; Representative Tom Anderson; Representative Pete Kott; Jim Pound, Staff, Representative Hugh Fate; Susan Stancliff, Staff, Speaker Pete Kott; Marie Darlin, Alaska Association of Retired Persons (AARP), Juneau

PRESENT VIA TELECONFERENCE

Cynthia Drinkwater, Assistant Attorney General, Department of Law, Anchorage

SUMMARY

HB 15 An Act relating to establishing the Alaska No-Call List, a data base of residential telephone customers who do not wish to receive telephonic solicitations; providing that the data base be compiled at no cost to the customers; requiring paid telephonic sellers to purchase the data base; requiring telephonic sellers to identify themselves; requiring telephonic solicitors who are otherwise exempt from registration as telephonic solicitors to file with the Department of Law and purchase the data base; and providing for an effective date.

HB 15 was HEARD and HELD for further consideration.

HB 56 An Act relating to the attorney fees and costs awarded in certain court actions relating to unfair trade practices; and, if considered court rule changes, amending Rules 54(d), 79, and 82, Alaska Rules of Civil Procedure.

CS HB 56 (L&C) was reported out of Committee with a "do pass" recommendation with a fiscal note #1 by the Department of Law.

HB 91 An Act relating to a cost-of-living allowance and medical benefits for retired peace officers after 20 years of credited service.

CS HB 91 (FIN) was reported out of Committee with a "no recommendation" and with a new fiscal note by the Department of Administration and indeterminate note #1 by the Department of Administration.

HB 347 An Act exempting taxicabs from the passenger vehicle rental tax; and providing for an effective date.

HB 347 was reported out of Committee with a "do pass" recommendation and a new zero note by the Department of Revenue.

CS SB 283(FIN)

An Act making an appropriation to reverse the deposit of money available for appropriation in the general fund at the end of fiscal year 2003 into the constitutional budget reserve fund; making an appropriation for investment management fees for the constitutional budget reserve fund; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date.

CS SB 283(FIN) was reported out of Committee with a "do pass" recommendation.

#HB347

HOUSE BILL NO. 347

An Act exempting taxicabs from the passenger vehicle rental tax; and providing for an effective date.

Co-Chair Harris MOVED to report HB 347 out of Committee with individual recommendations and with the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

HB 347 was reported out of Committee with a "do pass" recommendation and with a new zero note by the Department of Revenue.

#HB56

HOUSE BILL NO. 56

An Act relating to the attorney fees and costs awarded in certain court actions relating to unfair trade practices; and, if considered court rule changes, amending Rules 54(d), 79, and 82, Alaska Rules of Civil Procedure.

Representative Foster MOVED to report CS HB 56 (L&C) out of Committee with individual recommendations and with the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

CS HB 56 (L&C) was reported out of Committee with a "do pass" recommendation and with fiscal note #1 by the Department of Law.

#HB91

HOUSE BILL NO. 91

An Act relating to a cost-of-living allowance and medical benefits for retired peace officers after 20 years of credited service.

Representative Fate MOVED to report work draft version #23-LS0426\I, Craver, 1/14/04, out of Committee with individual recommendations and with the attached fiscal notes.

Co-Chair Harris OBJECTED. He pointed out that the large fiscal note is significant. He thought that the State might not be able to afford it long term. He noted he supports the concept of the 20-year retirement system, cautioning that the note is large. Co-Chair Harris WITHDREW his OBJECTION.

Representative Hawker OBJECTED in order to make a comment. He voiced concern with the effect of the note on the municipalities. He thought it could place an "unfunded mandate" upon them. He understood that the Municipality of Anchorage had become more supportive of the legislation while recognizing the costs they might incur. He agreed that the bill is "good and does the appropriate thing". Representative Hawker WITHDREW his OBJECTION.

Co-Chair Williams pointed out that the sponsor had been working with the Governor's Office. He added that there is support throughout the Legislative House for the bill.

CS HB 91 (FIN) was reported out of Committee with a "no recommendation" and with a new fiscal note by the Department of Administration and an indeterminate note #1 by the Department of Administration.

#HB15

HOUSE BILL NO. 15

An Act relating to establishing the Alaska No-Call List, a data base of residential telephone customers who do not wish to receive telephonic solicitations; providing that the data base be compiled at no cost to the customers; requiring paid telephonic sellers to purchase the data base; requiring telephonic sellers to identify themselves; requiring telephonic solicitors who are otherwise exempt from registration as telephonic solicitors to file with the Department of Law and purchase the data base; and providing for an effective date.

REPRESENTATIVE HUGH FATE explained that last year, federal legislation superceded HB 15. That legislation was tested in the 10th District Court. The Appeals Court decision came forward last week stating that it is "proper". The federal legislation stands in place but the Department of Law has found that they do not cover those subsequent areas that are applicable to the State of Alaska. At one time, there was to be a Governor's bill, which could close the loopholes. To date, the Department has chosen the bill before the Committee as the vehicle to address these concerns.

Co-Chair Harris MOVED to adopt work draft version #23-LS0058\S, Craver, 2/17/04, as the version of the legislation before the Committee. There being NO OBJECTION, it was adopted.

JIM POUND, STAFF, REPRESENTATIVE HUGH FATE, explained that the bill was drafted after the federal legislation and regulations. HB 15 was drafted to enhance that legislation for the State of Alaska. The bill would allow the Department of Law to be the lead agency providing them with the enforcement authority to register telemarketers throughout the State. The bill would eliminate some of the harassment potential that is not in the federal legislation.

Representative Croft inquired if there had been any change from the State Affairs version to the registration fee. Mr. Pound stated that there would be no in State registry. There will be no fee to the consumer but there will be to the telemarketers.

Representative Croft asked if the telemarketer fee would be the same as indicated in the House State Affairs version. Mr. Pound reiterated that there is no fee to the consumer at the federal level. The fee to the telemarketer will be established through regulation.

Co-Chair Harris commented on the fiscal note originating from the House State Affairs Committee. He asked if that note would be changed with the Finance version. Mr. Pound assumed that a new note would be zero.

Co-Chair Harris referenced note #3, FY04, and asked if the \$103 thousand dollars would be shifted to FY05. Mr. Pound pointed out that the fiscal note from the House State Affairs Committee was based on a "very different" piece of legislation. It was establishing and setting up a registration process to create a "do not call" list in the State of Alaska. When the bill was first introduced, there was no national registry. There is now a "National Do Not Call" list, which Alaska participates in and is the list that will be used.

CYNTHIA DRINKWATER, (TESTIFIED VIA TELECONFERENCE), ASSISTANT ATTORNEY GENERAL, DEPARTMENT OF LAW, ANCHORAGE, advised that if the Committee adopts the House Finance Committee substitute, the Department of Law fiscal note will be different. The primary expenditures in the note before the Committee were based on creating, implementing and maintaining a separate registry. If that was not part of the bill, the costs would be eliminated. There are amendments to the bill requiring registration fees for telemarketers, case lists and charitable organizations to pay registration fees going to the general fund.

Co-Chair Harris reiterated that the Department of Law fiscal note currently before the Committee is not accurate. Ms. Drinkwater advised that the Department would submit a new note as soon as the Committee adopts the committee substitute. Co-Chair Harris noted that the committee substitute had been adopted and asked how quickly could the Department submit the new note. Ms. Drinkwater replied that it would be quickly and guaranteed it would be available by 2/23/04.

Co-Chair Harris MOVED that CS HB 15 (FIN) be HELD in Committee until the new fiscal note had arrived.

MARIE DARLIN, ALASKA ASSOCIATION OF RETIRED PERSONS, JUNEAU, requested to testify on the bill when the new fiscal note arrived in Committee.

CS HB 15 (FIN) was HELD in Committee for further consideration.

#SB283

CS FOR SENATE BILL NO. 283(FIN)

An Act making an appropriation to reverse the deposit of money available for appropriation in the general fund at the end of fiscal year 2003 into the constitutional budget reserve fund; making an appropriation for investment management fees for the constitutional budget reserve fund; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date.

Co-Chair Harris clarified for the record that SB 283 was an identical bill to HB 413. He noted that there are no changes and that agreement had been reached with the minority. One item will be considered on the House Floor. He encouraged members to move the bill as is out of Committee.

Representative Croft explained that the bill would reverse the sweep. He hoped that it would be the "harbinger" of good negotiations to come.

Representative Foster MOVED to report CS SB 283 (FIN) out of Committee with individual recommendations. There being NO OBJECTION, it was so ordered.

CS SB 283 (FIN) out of Committee with a "do pass" recommendation.

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ADJOURNMENT

The meeting was adjourned at 2:06 P.M.