ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE
April 22, 2003
8:06 a.m.

MEMBERS PRESENT

Representative Bruce Weyhrauch, Chair
Representative Nancy Dahlstrom
Representative Paul Seaton
Representative Ethan Berkowitz

MEMBERS ABSENT

Representative Jim Holm, Vice Chair
Representative Bob Lynn
Representative Max Gruenberg

COMMITTEE CALENDAR

HOUSE BILL NO. 243
"An Act establishing state agency program performance management and audit powers in the Office of the Governor for the evaluation of agency programs; and providing for an effective date."

- MOVED CSHB 243(STA) OUT OF COMMITTEE

HOUSE BILL NO. 266
"An Act relating to elections, questioned ballots and questioned voters, voter registration, training of election officials, preparation of election materials, voter identification, absentee voting, counting ballots, and the primary election; and providing for an effective date."

- MOVED CSHB 266(STA) OUT OF COMMITTEE

CS FOR SENATE BILL NO. 49(STA)
"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

- HEARD AND HELD

HOUSE BILL NO. 157
"An Act eliminating the Alaska Public Offices Commission; transferring campaign, public official, and lobbying financial

disclosure record-keeping duties to the division of elections; relating to reports, summaries, and documents regarding campaign, public official, and lobbying financial disclosure; providing for enforcement by the Department of Law; making conforming statutory amendments; and providing for an effective date."

- HEARD AND HELD

PREVIOUS ACTION

BILL: HB 243
SHORT TITLE:EVALUATION OF AGENCY PROGRAMS
SPONSOR(S): RLS BY REQUEST OF THE GOVERNOR

Jrn-Date	Jrn-Page		Action
04/04/03	0769	(H)	READ THE FIRST TIME - REFERRALS
04/04/03	0769	(H)	STA, FIN
04/04/03	0770	(H)	FN1: ZERO(GOV)
04/04/03	0770	(H)	GOVERNOR'S TRANSMITTAL LETTER
04/10/03		(H)	FIN AT 1:30 PM HOUSE FINANCE 519
04/10/03		(H)	Mtg Postponed Until Adjnmt of F/Session
04/15/03		(H)	STA AT 8:00 AM CAPITOL 102
04/15/03		(H)	Heard & Held MINUTE(STA)
04/17/03		(H)	STA AT 8:00 AM CAPITOL 102
04/17/03		(H)	Heard & Held MINUTE(STA)
04/22/03		(H)	STA AT 8:00 AM CAPITOL 102

BILL: HB 266
SHORT TITLE:ELECTIONS & VOTER REGISTRATION
SPONSOR(S): RLS BY REQUEST OF THE GOVERNOR

Jrn-Date	Jrn-Page		Action
04/14/03	0965	(H)	READ THE FIRST TIME - REFERRALS
04/14/03	0965	(H)	STA, FIN
04/14/03	0965	(H)	FN1: ZERO(GOV)
04/14/03	0965	(H)	FN2: ZERO(ADM)
04/14/03	0965	(H)	GOVERNOR'S TRANSMITTAL LETTER
04/15/03		(H)	STA AT 8:00 AM CAPITOL 102
04/15/03		(H)	Scheduled But Not Heard
04/17/03		(H)	STA AT 8:00 AM CAPITOL 102

04/17/03		(H)	Heard & Held
04/17/03		(H)	MINUTE(STA)
04/22/03		(H)	STA AT 8:00 AM CAPITOL 102

BILL: SB 49
SHORT TITLE:2003 REVISOR'S BILL
SPONSOR(S): RLS BY REQUEST OF LEGISLATIVE COUNCIL

Jrn-Date	Jrn-Page		Action
01/31/03	0087	(S)	READ THE FIRST TIME - REFERRALS
01/31/03	0087	(S)	STA, JUD
02/20/03		(S)	STA AT 3:30 PM BELTZ 211
02/20/03		(S)	Moved CSSB 49(STA) Out of Committee
02/20/03		(S)	MINUTE(STA)
02/24/03	0256	(S)	STA RPT CS 5DP SAME TITLE
02/24/03	0256	(S)	DP: TAYLOR, HOFFMAN, COWDERY,
02/24/03	0256	(S)	DYSON, GUESS
02/24/03	0257	(S)	FN1: ZERO(S.STA)
03/17/03		(S)	JUD AT 1:30 PM BELTZ 211
03/17/03		(S)	Heard & Held MINUTE(JUD)
04/07/03		(S)	JUD AT 1:30 PM BELTZ 211
04/07/03		(S)	Moved CSSB 49(STA) Out of Committee MINUTE(JUD)
04/08/03	0745	(S)	JUD RPT CS(STA) 2DP 2NR
04/08/03	0745	(S)	DP: SEEKINS, THERRIAULT;
04/08/03	0745	(S)	NR: ELLIS, FRENCH
04/08/03	0745	(S)	FN1: ZERO(S.STA)
04/09/03	0783	(S)	RULES TO CALENDAR 4/10/2003
04/10/03	0783	(S)	READ THE SECOND TIME
04/10/03	0783	(S)	STA CS ADOPTED UNAN CONSENT
04/10/03	0783	(S)	ADVANCED TO THIRD READING UNAN CONSENT
04/10/03	0784	(S)	READ THE THIRD TIME CSSB 49(STA)
04/10/03	0784	(S)	PASSED Y19 N- E1
04/10/03	0784	(S)	EFFECTIVE DATE(S) SAME AS PASSAGE
04/10/03	0794	(S)	TRANSMITTED TO (H)
04/10/03	0794	(S)	VERSION: CSSB 49(STA)
04/11/03	0925	(H)	READ THE FIRST TIME - REFERRALS
04/11/03	0925	(H)	STA, JUD
04/22/03		(H)	STA AT 8:00 AM CAPITOL 102

BILL: HB 157
SHORT TITLE:ELIMINATE APOC
SPONSOR(S): RLS BY REQUEST OF THE GOVERNOR

Jrn-Date	Jrn-Page		Action
03/05/03	0426	(H)	READ THE FIRST TIME - REFERRALS
03/05/03	0426	(H)	STA, JUD, FIN
03/05/03	0426	(H)	FN(S) FORTHCOMING
03/05/03	0426	(H)	GOVERNOR'S TRANSMITTAL LETTER
03/11/03		(H)	STA AT 8:00 AM CAPITOL 102
03/11/03		(H)	Scheduled But Not Heard
03/12/03	0522	(H)	FN1: ZERO(GOV)
03/12/03	0522	(H)	FN2: (ADM)
03/12/03	0522	(H)	FN3: (ADM)
04/22/03		(H)	STA AT 8:00 AM CAPITOL 102

WITNESS REGISTER

PAT DAVIDSON, Legislative Auditor
Division of Legislative Audit
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Answered questions on behalf of the division during the hearing on HB 243.

GINNY AUSTERMAN, Staff
to Representative Bruce Weyhrauch
House State Affairs Standing Committee
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: During discussion of HB 243, informed the committee of the existence of a new committee substitute (CS).

LAURA GLAISER, Director
Division of Elections
Office of the Lieutenant Governor
Juneau, Alaska
POSITION STATEMENT: Testified in support of HB 266 and answered question from the members.

JAMES BALDWIN, Assistant Attorney General
Governmental Affairs Section
Civil Division (Juneau)
Department of Law
Juneau, Alaska

POSITION STATEMENT: Presented a proposed committee substitute (CS), Version 23-GH1138\H, to the committee, during the hearing on HB 243.

PAMELA FINLEY, Revisor of Statutes
Legislative Legal Counsel
Legislative Legal and Research Services
Legislative Affairs Agency
Juneau, Alaska
POSITION STATEMENT: Introduced SB 49.

KEVIN JARDELL, Assistant Commissioner
Office of the Commissioner
Department of Administration (DOA)
Juneau, Alaska
POSITION STATEMENT: Discussed differences between the original bill and a proposed committee substitute (CS), during the hearing on HB 157.

BROOKE MILES, Executive Director
Alaska Public Offices Commission (APOC)
Anchorage, Alaska
POSITION STATEMENT: Reviewed the major points of the proposed committee substitute (CS), during the hearing on HB 157.

PAMELA LaBOLLE, President
Alaska State Chamber of Commerce (ASCC)
Juneau, Alaska
POSITION STATEMENT: Testified on behalf of ASCC to state concerns regarding the hour restriction on nonprofessional lobbyists, during the hearing on HB 157.

MIKE FRANK
Anchorage, Alaska
POSITION STATEMENT: Testified on behalf of himself in opposition to some of the principle provisions in [a proposed committee substitute (CS), labeled revised.doc, 4/22/2003, originally prepared for SB 119], during the hearing on HB 157.

LAURIE CHURCHILL, Founding Board Member
Alaska Voters Organization
Nikiski, Alaska
POSITION STATEMENT: During the hearing on HB 157, read a formal resolution in support of APOC that was passed by the Alaska Voters Organization board of directors on March 18, 2003.

ACTION NARRATIVE

TAPE 03-42, SIDE A
Number 0001

CHAIR BRUCE WEYHRAUCH called the House State Affairs Standing Committee meeting to order at 8:06 a.m. Present at the call to order were Representatives Weyhrauch, Seaton, and Dahlstrom. Representative Berkowitz arrived as the meeting was in progress.

HB 243 - EVALUATION OF AGENCY PROGRAMS

Number 0045

CHAIR WEYHRAUCH announced that the first order of business was HOUSE BILL NO. 243, "An Act establishing state agency program performance management and audit powers in the Office of the Governor for the evaluation of agency programs; and providing for an effective date."

Number 0097

PAT DAVIDSON, Legislative Auditor, Division of Legislative Audit, Alaska State Legislature, told the committee that she was available to answer questions on behalf of the division.

REPRESENTATIVE SEATON asked which bill version was before the committee.

CHAIR WEYHRAUCH clarified that [during the April 17, 2003 hearing on HB 243], the proposed committee substitute (CS) [Version 23-GH1138\D, Lauterbach, 4/16/03] had been withdrawn as a work draft and was no longer before the committee.

Number 0160

GINNY AUSTERMAN, Staff to Representative Bruce Weyhrauch, House State Affairs Standing Committee, Alaska State Legislature, informed the committee that a new committee substitute had just been delivered to her and would be handed out to the committee shortly.

[HB 243 was held until later in the meeting.]

HB 266-ELECTIONS

Number 0231

CHAIR WEYHRAUCH announced that the next order of business was HOUSE BILL NO. 266, "An Act relating to elections, questioned ballots and questioned voters, voter registration, training of election officials, preparation of election materials, voter identification, absentee voting, counting ballots, and the primary election; and providing for an effective date." [In committee packets was a new proposed committee substitute (CS), Version 23-GH1133\D, Kurtz, 4/18/03.]

CHAIR WEYHRAUCH called HB 266 the omnibus election reform bill. He said that Version D restores the phrase "questioned" ballots as opposed to "provisional" ballots. He said he does not think there was any objection from the administration regarding that change.

Number 0296

LAURA GLAISER, Director, Division of Elections, Office of the Lieutenant Governor, testified in support of HB 266 and answered questions from the members. She said:

> Just briefly looking through this, I don't see Representative Gruenberg's amendments in here. We can do that in [the House Finance Committee]; I know that [Representative Gruenberg] has great desire to do that. He called me yesterday and said that he is ill, so we didn't get to meet or discuss that. And I just want to be on the record that we knew that was coming - I gave his staff a suggested way to deal with that - and we can proceed however you'd like.

Number 0343

REPRESENTATIVE DAHLSTROM moved to report CSHB 266, Version 23-GH1133\D, Kurtz, 4/18/03] out of committee with individual recommendations and the accompanying fiscal note.

CHAIR WEYHRAUCH noted that there was no quorum yet and the committee would have to wait until Representative Berkowitz arrived. [The motion was treated as withdrawn.] He also noted that a motion would have to be made to adopt the proposed CS as a work draft. [Although no formal motion was made, Version D was later treated as adopted.]

MS. GLAISER, in response to a question by Chair Weyhrauch, confirmed that the fiscal note would not be changed by Version D.

Number 0410

REPRESENTATIVE SEATON brought attention to Amendment 1, labeled 23-GH1133\A.4, which read as follows:

Page 12, line 19:
Delete "AS 15.20.203(h) is repealed and reenacted to read:"
Insert "AS 15.20.203 is amended by adding a new subsection to read:"

Page 12, line 20:
Delete "(h)"
Insert "(j)"

Page 15, line 2:
Delete "AS 15.20.207(h) is repealed and reenacted to read:"
Insert "AS 15.20.207 is amended by adding a new subsection to read:"

Page 15, line 3:
Delete "(h)"
Insert "(k)"

Page 15, following line 8:
Insert a new bill section to read:
"*** Sec. 36.** AS 15.20.211 is amended by adding a new subsection to read:
(f) The director shall make available through a free access system to each voter whose ballot was subject to partial counting under this section a system to check to see whether the voter's ballot was partially counted and, if not counted, the reason why the ballot was not counted. The director shall make this information available through the free access system not less than 10 days after certification of the results of a primary election and not less than 30 days after the certification of the results of a general or special election."

Renumber the following bill sections accordingly.

Page 17, lines 11 - 12:

Delete "; AS 15.20.203(i), 15.20.207(i), 15.20.207(j), 15.20.211(c), 15.20.211(d), and 15.20.211(e) are"
Insert "is"

MS. GLAISER, in response to a question by Representative Seaton, indicated that the division does not have a problem with Representative Gruenberg's Amendment 1 as it specifically relates to his desire to have the Division of Elections continue sending letters to those who voted a questioned ballot or absentee ballot for the purpose of notifying the voter as to what part of his/her ballot was counted.

Number 0516

The committee took an at-ease from 8:11 a.m. to 8:22 a.m.

CHAIR WEYHRAUCH, at 8:23 a.m., announced that for the purpose of waiting for a quorum, the committee would recess to a call of the chair

CHAIR WEYHRAUCH reconvened the House State Affairs Standing Committee at 8:47 a.m.. Present at the call back to order were Representatives Weyhrauch, Seaton, Dahlstrom, and Berkowitz.

Number 0624

CHAIR WEYHRAUCH offered his understanding that Representative Dahlstrom had moved to adopt the committee substitute (CS) [Version 23-GH1133\D, Kurtz, 4/18/03, as a work draft]; therefore, he stated that [Version D] was before the committee.

Number 703

REPRESENTATIVE BERKOWITZ moved to adopt Amendment 1, for discussion purposes [text provided previously].

CHAIR WEYHRAUCH asked Ms. Glaiser if she had had an opportunity to review [Amendment 1], and he asked her what the division's position on it is.

MS. GLAISER told the committee that [Amendment 1] is fine with the division.

REPRESENTATIVE SEATON asked for clarification about requiring written notice, which he said he does not see in the amendment.

MS. GLAISER responded that by deleting the repealers, since notification by mail is currently in law, that provision of law is being left as is. Also, she noted that the free access system is being added. She said, "That's what this amendment allows us."

Number 0798

CHAIR WEYHRAUCH indicated that there was no objection to [Amendment 1]; therefore, Amendment 1 was treated as adopted.

Number 0816

REPRESENTATIVE SEATON moved to report CSHB 266, Version 23-GH1133\D, Kurtz, 4/18/03, as amended, out of committee with individual recommendations and the accompanying fiscal note. There being no objection, CSHB 266(STA) was reported out of the House State Affairs Standing Committee.

HB 243-EVALUATION OF AGENCY PROGRAMS

Number 0874

CHAIR WEYHRAUCH returned the committee's attention to HOUSE BILL NO. 243, "An Act establishing state agency program performance management and audit powers in the Office of the Governor for the evaluation of agency programs; and providing for an effective date."

CHAIR WEYHRAUCH reminded the committee that at the previous hearing on HB 243 [April 17, 2003] a committee substitute had been adopted and withdrawn, leaving the original bill version before the committee. Furthermore, Representative Berkowitz had offered a conceptual amendment [on page 2, line 4, after the word "confidential", which would add: "only to the extent permitted by other provisions of law". Chair Weyhrauch noted that Mr. Baldwin had been asked to "take that under advisement."

Number 0920

JAMES BALDWIN, Assistant Attorney General, Governmental Affairs Section, Civil Division (Juneau), Department of Law, presented a proposed committee substitute (CS), Version 23-GH1138\H, to the committee. He reported the following:

> We did prepare an amendment for the bill and sent it to your committee ... staff, which we believe marries

> what we intend, along with - we hope - ... some of the concerns that were specified by Representative Berkowitz, which would propose to have the language read in a way that, while preserving the confidentiality of audit papers, ... would not allow us to elevate anything, that was heretofore considered open to the public, to be confidential merely by conducting an audit or bringing them into the possession of an auditor.

CHAIR WEYHRAUCH told the committee members that a proposed committee substitute (CS), Version 23-GH1138\H, was in their packets. In response to a question by Representative Seaton, he clarified that it was Version D that was rescinded as the working document at the [April 17, 2003] meeting. He noted that a sentence was added to Section 3 of Version H [page 2, beginning line 5], which read as follows:

> However, a record containing information, data, estimates, and statistics obtained during the course of an audit conducted under AS 44.19.145(a) may be kept confidential only to the extent required by law applicable to the agency from which the record is obtained.

MR. BALDWIN, in response to a question by Chair Weyhrauch, confirmed that that sentence was added per the advice of an auditor. He said he had told the auditor that he had no objection to the addition.

Number 1177

REPRESENTATIVE BERKOWITZ asked if there are definitions in statute for some of the terms used [in Version H] such as: "record", "information", and "audit work papers".

MR. BALDWIN said that he doesn't think that the words "work papers" are defined; however, he noted that those words are already in use by the legislative auditors.

REPRESENTATIVE BERKOWITZ asked if a record would be distinct from [a] work paper or other related supportive material.

MR. BALDWIN responded that he doesn't believe so. He said that the term "public record" is defined in Title 40. He added, "The term 'record' ... just basically is a document."

REPRESENTATIVE BERKOWITZ clarified the reason for his line of questioning as follows:

> This confidentiality provision ... turns on the intersection between the terms 'record' and 'audit work papers and other' ... 'related supportive material', and if those terms are not synonymous, it seems like an invitation for trouble.

MR. BALDWIN responded, "I can tell you that our intent here is to make it clear that there would be no ability under these amendments to elevate a document, heretofore considered open and available to the public, to a confidential status merely because it's in the possession of an auditor." He explained that what [the last sentence in Section 3 of Version H] is meant to say is that "if it's open to the public when it's in the possession of another agency, when it becomes in the possession of an auditor, it would likewise be open to the public." He added that that is the intent of the language.

Number 1304

REPRESENTATIVE SEATON moved to adopt the proposed committee substitute (CS), Version 23-GH1138\H, as a work draft.

CHAIR WEYHRAUCH indicated that, without objection, [Version H was before the committee].

REPRESENTATIVE BERKOWITZ said that his concern remains that in "some other person's estimation," internal audit work papers may not rise to the level of records He opined that the language in the amended sentence ought to track the language that it's modifying.

REPRESENTATIVE SEATON asked Representative Berkowitz if he was asking for the substitution of the word "record" with either "file" or "document".

REPRESENTATIVE BERKOWITZ said that the "cleanest" would be to substitute "a record" for "internal audit work papers and other related supported material". He admitted that it is cumbersome; however, he said that the repetition of the language would make interpretation of the statute easier.

Number 1465

CHAIR WEYHRAUCH clarified that with Representative Berkowitz's suggested amendment to Version H, [page 2, beginning on line 5] would read as follows:

> However, internal audit work papers and other related supportive material containing information, data, estimates, and statistics obtained during the course of an audit conducted under AS 44.19.145(a) may be kept confidential only to the extent required by law applicable to the agency from which the record is obtained.

MR. BALDWIN said he understood the amendment. He said he had considered using the term "public record", which is defined in Title 40. He added that it would include "almost any scrap of paper that an agency had that generally is available to the public." He stated that he doesn't really have a problem with Representative Berkowitz's amendment. He said that he thinks it has the intent that he is trying to achieve. He explained that the reason he had chosen the word "record" was because he wanted to refer to any document. He note that "record" is the term of art that's used, basically, in the public records log, although the correct defined term is "public record". He said he is sure that the language that was proposed could be improved upon.

Number 1651

PAT DAVIDSON, Legislative Auditor, Division of Legislative Audit, Alaska State Legislature, regarding Version H, said that in terms of assisting the Division of Legislative Audit in any way, [Version H, with or without the amendment] would be just fine. In response to Chair Weyhrauch's further clarification of the amendment, she said that would expand [the language]. She said, "Typically, in working papers, what you're going to see ... depends upon how you define "information"; you're going to see narratives - the write-up of discussions you've had with agency personnel."

CHAIR WEYHRAUCH stated that he has a concern with the amendment because he understands that internal audit work papers are generally not disclosed to the public. He asked Ms. Davidson if that is true.

MS. DAVIDSON said that it depends on what the state decides. She stated, "What you need to do is make sure that confidential information that is made confidential any place else in statute remains confidential, even if it becomes part of internal work

papers." In response to a follow-up question by Chair Weyhrauch, she confirmed that internal audit work papers may or may not be confidential.

CHAIR WEYHRAUCH commented that the amendment would allow some protection to both the public and to the auditors. He emphasized the tension between wanting to keep records open to the public, yet wanting auditors to do their job and take sensitive analysis of issues.

MS. DAVIDSON acknowledged that. She continued as follows:

> From an auditor's perspective, one of the things that benefits [the Division of] Legislative Audit in the fact that our working papers are confidential, is that ... it eases agencies' concern when they give us access to confidential information. It also may enhance communication - [the] interview process - when these people know that they're supervisor can't come and say, "Well, what did you tell the auditors?" So, those are just the tradeoffs that you have to make when preparing the statutes, and [determining] ... what you want to deem as confidential.

Number 1838

REPRESENTATIVE SEATON said it seems that what is being made confidential is no more confidential than what is required under existing law, and repeating the same language [as the amendment to Version H would do], would make that very clear. He indicated that if the term "a record" is used, then "we're not quite sure where we're going." He asked Ms. Davidson if she sees any problem doing that.

MS. DAVIDSON said she doesn't "see any particular difference there - one [way] or the other."

REPRESENTATIVE DAHLSTROM, in response to Chair Weyhrauch, stated that she has no objection to the amendment.

Number 1925

CHAIR WEYHRAUCH announced that, there being no objection to the suggested "conceptual" amendment to Version H, [it was adopted].

Number 1943

REPRESENTATIVE DAHLSTROM moved to report CSHB 243, Version 23-GH1138\H, as amended, out of committee with individual recommendations and the accompanying fiscal note. There being no objection, CSHB 243(STA) was reported out of the House State Affairs Standing Committee.

REPRESENTATIVE BERKOWITZ stated that he finds it problematic that "funding for the position comes from raiding the Division of Elections and the Human Rights Commission." He said that he hopes that issue will be addressed in the House Finance Committee.

SB 49-2003 REVISOR'S BILL

Number 2010

CHAIR WEYHRAUCH announced that the next order of business was CS FOR SENATE BILL NO. 49(STA), "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

Number 2015

PAMELA FINLEY, Revisor of Statutes, Legislative Legal Counsel, Legislative Legal and Research Services, introduced SB 49. She told the committee that SB 49 was prepared pursuant to statutes, and it's purpose is to clean out mistakes, or "things that have just become obsolete," for example, changes of board names or federal statute citations. She said that [SB 49] would also clean up drafting errors, where the legislature's policy choice is clear, but "we just forgot to amend another statute or make conforming amendments."

MS. FINLEY referred to the sectional analysis [in committee packets], and offered to answer any questions from the committee. She noted that [SB 49] is a bill which has so many subjects that she cannot cover them all [in a brief time].

CHAIR WEYHRAUCH noted that the House State Affairs Standing Committee is the first committee of referral in the House. He commented that there had just been a four-day weekend, and he asked if there would be a practical problem in holding the bill to give the committee more time to review it before discussing it.

MS. FINLEY replied that there would be no practical problem in doing so.

CHAIR WEYHRAUCH announced that SB 49 was heard and held.

HB 157-ELIMINATE APOC

[Contains discussion of SB 119 and brief mention of HB 106, original version, and SB 89.]

Number 2140

CHAIR WEYHRAUCH announced that the last order of business was HOUSE BILL NO. 157, "An Act eliminating the Alaska Public Offices Commission; transferring campaign, public official, and lobbying financial disclosure record-keeping duties to the division of elections; relating to reports, summaries, and documents regarding campaign, public official, and lobbying financial disclosure; providing for enforcement by the Department of Law; making conforming statutory amendments; and providing for an effective date."

[In committee packets was a proposed committee substitute (CS), labeled revised.doc, 4/22/2003, originally prepared for SB 119. The fiscal note prepared by the Alaska Public Offices Commission (APOC) also apparently addressed this version.]

Number 0157

KEVIN JARDELL, Assistant Commissioner, Office of the Commissioner, Department of Administration (DOA), referred to a memorandum that outlines the changes that are proposed in the CS [included in the committee packet], which he said obviously makes the proposed CS drastically different from the original piece of legislation introduced by the administration. He said [the proposed CS] is a result of considerable work and discussion between APOC and the administration. He said that [the proposed CS] is one that he believes the administration has "come to believe deserves a chance to proceed on it's own merits, to see if it will produce the results that we hope to see."

MR. JARDELL revealed that the original bill produced by the administration was the result of looking at the frustrations involved in [political] campaigns, particularly in regard to the lack of disclosure on some of the advertisements during the last 90 days of campaigning. The APOC, he said, came forward with some legitimate concerns. He continued as follows:

We disagree with them on some of them. We still think that that idea will work; we still think it's a good idea. But after reviewing the APOC's comments and listening to them, we think they see the same frustrations. They have some unique perspectives from working with all the campaigns, ... and they had some good ideas. And the administration sat down with them and finally decided that their ideas deserve a chance to see ... if they're going to work and produce results.

Number 2300

BROOKE MILES, Executive Director, Alaska Public Offices Commission (APOC), reviewed the major points of the proposed CS as follows:

The commission believes one of the very most important things about this legislation is that it lays the foundation for mandatory electronic filing under the campaign disclosure law, also under the lobbying law and the financial disclosure law. The foundation is laid there and would of course depend on the funding of the capital project, which is currently in the budget. And if we're successful in receiving the ... one-time funding then that project will move forward as expeditiously as possible. The commission would hope that the new online filing would be available for the 2004 state election cycle.

The second-most important part of this legislation is that it changes the way the APOC handles complaints. The statute now provides some timelines for respondents [and] some timelines for the commission to issue orders, all in the hopes that a complaint will move forward much quicker than they have in the ... entire past history of the commission.

In addition to that, it provides for an expedited process to be used at crucial points in an election or other activity where the alleged wrongdoing could effect the outcome of an election or other event. And it gives the commission a sort of a cease-and-desist authority, so, if it was in the last minute of the campaign and there was an illegal ad running, the commission could actually issue a "cease" order on that.

It shortens the time for bringing the administrative complaints to the commission from four years to one year, which is also helpful in processing complaints, because ... the older the activity is that is the subject of the complaint, the more difficult it is to investigate.

And it authorizes APOC to request the assistance of the attorney general in ... certain cases where we have jurisdictional problems, or where someone has disobeyed an order of the commission.

Number 2460

MS. MILES continued:

This legislation requires full disclosure. And by that I mean that where candidates now completing your campaign disclosure reports will report all of the people who gave over $100 by name, address, occupation, and employer, under this legislation, [they'll] be reporting the name and address of all of [their] contributors, regardless of the amount. When a contributor gives more than $250 to your campaign, you will also be responsible for disclosing the occupation and employer information.

This legislation eliminates the requirement to file a report 10 days after the election and expands the year-end report so that it covers all the activities of a campaign. ... For example, in 2004, candidates would not be required to file a report 10 days after the election, but the report that they file on February 15th - the year-end campaign disclosure report - will include all expenditures through the entire dispersement period, up to February 1st. And this requires dispersement by February 1st for state campaigns, as opposed to 90 days after the election, which is the language in current law. The difference ... could be a matter of four days less for dispersing.

The legislation incorporates, however, the language that the commission currently administers concerning exempt fundraising activities, ... so if you have a fundraising activity that is ... high-volume, low-

cost, ... you'll just count the number of people participating and the proceeds from the fundraising event.

This repeals the ban on a candidate's excepting campaign contributions after the primary election, if the candidate prevailed in the primary election and is still going to appear on the general election ballot. That's been an area that was identified as problematic to us from different candidates. Candidates who are appearing on the general ballot are still candidates and, as such, usually like to purchase direct mailing, radio, newspaper, and television advertisements, and when they must cease fundraising 45 days after the primary election, that severely limits their ability to carry forth on those projects.

Number 2612

MS. MILES went on to say:

This raises campaign contribution limits. For individuals to contribute to a group or a candidate, the raise is from $500 to $1,000. For individuals who contribute to political parties, it's raised from $5,000 to $10,000. For groups to contribute to candidates, it's raised from $1,000 to $5,000. Those are groups that are not political parties. For groups to contribute to a political party, it's raised from $1,000 to $10,000, and for non-group entities - advocacy non-profit corporations - they may give $1,000 to a candidate, where currently they're limited to $500.

This legislation requires reporting of [a] contributor's occupation and employer information only when it's more than $250 - I spoke to that. This increases the amount an individual may spend independently on signs, billboards, [and] printed materials advocating the election or defeat of a ballot question, from $250 under current law to $500. This is an activity that arises out of the U.S. Supreme Court case called MacIntyre, and $250 was the lowest, most narrow limit. Raising that's probably not a very controversial issue.

This does remove the prohibition on lobbyists contributing to legislative candidates outside their voting districts. Under this bill a lobbyist would be able to give a lawful campaign contribution to the legislative candidate of her or his choice; however, lobbyists are required to file a contribution report upon giving a contribution to a legislative candidate. So, in addition to it being reported by the candidate, it needs to reported by the lobbyist, which is a requirement under current law, ... [but] they can only give to the ... legislators who are running to represent the district in which the lobbyist is authorized to vote.

Number 2730

MS. MILES added:

It removes language that was held unconstitutional in the Alaska Supreme Court case on campaign finance reform, regarding campaign contributions during legislative session. This legislation changes language in AS 15.13; it does not change language in [AS] 24.60, which currently precludes legislators from accepting campaign contributions during the legislative session. It's really a housekeeping measure; the supreme court decision specifically removed it in one section of the law, leaving it in another section of the law, which caused a great deal of confusion to certain individuals trying to read the law and thinking they couldn't accept campaign contributions - "challengers," in other words - during the legislative session.

It repeals the requirement that candidates notify APOC of the intent to seek recoupment of a candidate's loan to the campaign, within five days of making that contribution. This is another area that was identified to us as problematic by the candidates. The amount that a candidate gives to her or his own campaign will still be required to be reported, of course, and on the report - which will be the regularly filed campaign disclosure report; that candidate will be required to indicate whether or not they wish to recoup those contributions with surplus campaign funds at the conclusion of the campaign. But the five-day notice is repealed.

This requires municipalities to affirmatively opt into coverage under the campaign disclosure law. It changes the current statute - ... they can vote themselves out. This will require them to vote themselves in, and the state will charge a fee to oversee reporting by municipalities. That fee is going to be designed by the folks at the Department of Administration, as opposed to the commission that promulgates all the other regulations under this chapter, because the Department of Administration is more familiar with how to fairly assess that. And it will go through the entire regulatory process, of course.

Lastly, under AS 15.15 - the campaign disclosure law - this amends the definition of a political party to be consistent with the definition of a political party in the Division of Election's law. This is important legislation, and it's kind of "clean-up" too, and it will actually make a lawsuit go away, saving us all money.

Number 2858

MS. MILES also said:

The lobbying law would see the following changes. Of course, again, electronic filing [being] the most important. It increases the amount of time that a part-time lobbyist has to engage in lobbying activities before she or he is required to register as a lobbyist. The current APOC regulation provides for 4 hours; this would provide for 16 hours, ... I believe in a 30-day period.

It changes the definition of administrative action in the lobbying statute ... by codifying a regulation that the commission has had on the books for many years that exempts certain agency lobbying activities from the law, particularly when you're dealing with permitting and licensing, when a person is appearing before a quasi-judicial agency. It's generally quasi-legislative or quasi-judicial agencies that are exempted. People who are trying to sell products to the state have been forever exempted from the lobbying

law, and these are just moving the exemptions into ... statute.

Legislators' financial disclosure statements: the threshold for reporting the sources of income would be moved from $1,000 to $10,000. That's the only change in the legislator's financial disclosure. In public official financial disclosure reports: [municipalities] are removed; it increases the reporting threshold for sources of income from $1,000 to $10,000; [it] makes an exemption for publicly traded companies if the filer's interest is less than $10,000; [it] increases trust or fiduciary reporting from $1,000 to $10,000; and [it] increases the reporting threshold for public officials to report the source of a gift from $250 to $500.

The commission's thought on raising these amounts: for one thing [it is] that the $1,000 has been a limit on the books for a long time, but the commission didn't feel that $1,000 of income was really [a] very significant amount of income. ... Under the public officials financial disclosure you have elected officials: people running for the legislature or statewide office, you have commissioners, assistant and deputy commissioners, directors, deputy directors, and members of ... [many state boards and commissions ,... the APOC ... being one of them.] [The previously bracketed portion was not on tape, but was taken from the Gavel to Gavel recording on the Internet.]

TAPE 03-42, SIDE B
Number 2983

MS. MILES continued:

[Not on tape, but taken from the Gavel to Gavel recording on the Internet, was the following bracketed portion: [As you may be aware, many boards or commissions require professional people to be part of the membership] - attorneys, accountants, doctors - and in disclosing sources of income, attorneys therefore are required to list their clients' names for clients who ... paid more than $1,000. Part of the idea of moving this to $10,000 would be those client lists would be less long and it would, hopefully, make it easier to recruit people to

participate in government as the board and commission wanted.

CHAIR WEYHRAUCH announced that he will hear public testimony before the committee begins to ask questions of Ms. Miles.

Number 2903

PAMELA LaBOLLE, President, Alaska State Chamber of Commerce (ASCC) told the committee that ASCC has been working on HB 106 and SB 89, both bills dealing with the definition of lobbyists. She offered her understanding that those bills have been rolled into [HB 157]. She noted that the ASCC's concern is that the law states that if a substantial portion of a person's time for which he/she is receiving compensation is in "the influencing of legislation" or administrative action, then that person is a lobbyist. She said that APOC defined [that time] as four hours in a 30-day period.

MS. LaBOLLE said that ASCC has maintained that approximately 2.3 percent of a person's time "is not substantial." She added, "This increases that to 9 percent." She said that ASCC still does not think that that's substantial. She noted that professional lobbyists are still covered under law and must register before doing any professional lobbying, whether contracting or setting up a business as a lobbyist, for example.

MS. LaBOLLE offered the following example:

> Say you're a human resource person for a company, and there [are] some issues that are before the legislature or before the administration that will impact your business - how much you're going to pay your employees, what the work rules are for employees, [and] what kind of reporting as an employer you're going to have to do - I mean there's just numerous things that ... a [human resources] person would be involved in. And we feel that ... even 16 hours is not sufficient for the time that you may need to spend to do this, and that you aren't a lobbyist, you're a human resources person for an organization, ... for a company.
>
> If you're an engineer and there's work being done on some rules and regulations and laws regarding engineering, it may take more ... [of] your time than 16 hours to convey the concerns or to help ... provide

> the information that you as a professional engineer are the only one that can provide, or your professional group is the only one that [can] provide it. So, ... our position has been that by limiting the amount of time that professional and business people can provide information to the legislature without requiring them to make themselves a lobbyist is detrimental to the legislative process; it's detrimental to the administrative process. That people should be able to provide this information freely, and we maintain ..., as under SB 89 and ... HB 106, that ... 25 percent of a person's time is more in the line of substantial amount of a person's time.

Number 2698

MS. LaBOLLE also expressed concern that APOC has recently more broadly defined what it considers a lobbying activity to include time spent in activities in which legislators are also participating. She offered an example of a person playing in a golf tournament where a legislator is on the same team. Since a round of golf often takes more than four hours to play, it can become a real problem. She stated that the ASCC feels that lobbying should be "more directly defined." If the amount of time is limited to the 16 hours proposed [in HB 157], she emphasized that it's even more important that there be a better definition of what a lobbying activity is and in what things a person can participate in "before the clock starts ticking."

MS. LaBOLLE told the committee that the ASCC is glad that the [proposed CS would reverse the law that] limits professional lobbyists from giving to candidates outside their own district. She said she knows that the courts did not rule that unconstitutional, but personally, as a lobbyist, she said she felt it was prohibitive and unfair. She said she cannot recollect anything that comes before the Alaska State Legislature that is so parochial in nature that it would only affect an individual's district. She emphasized that it is important to her as an individual to be able to contribute to the candidates that she thinks support what she believes in, including in what she believes is good for the state. She remarked that the actions and decisions that are made by the legislature have statewide impact.

REPRESENTATIVE BERKOWITZ stated that he is concerned when people say they don't have access to him. He relayed that he's never had a problem in the seven years that he's served in the

legislature with someone in business or in any other community saying that he/she didn't have access to him. He noted that [Ms. LaBolle] had made references to instances [where this kind of thing happened]. He asked her to provide concrete examples of when people have been impeded in their efforts to contact the legislature because of the "hour limit."

MS. LaBOLLE responded that there are people who have registered on the books at APOC because they were afraid that they would go over the four hours; and therefore, they were forced to register up front. She also mentioned people who limit their contact with legislators within the four hours, rather than having to register, and take themselves out of some of the activities allowed in the electoral process that a registered lobbyist cannot participate in.

Number 2470

REPRESENTATIVE BERKOWITZ said that he sympathizes, because legislators are prohibited from doing certain things; however, they voluntarily "join those ranks." He stated that he would think that lobbyists are willing to make similar sacrifices in order to get the compensation that they do.

MS. LaBOLLE agreed that professional lobbyists and legislators do voluntarily agree to play by the rules when they seek those positions. She clarified that she is talking about people who are not lobbyists and never want to be lobbyists, and they are not voluntarily "giving this up." She said that those people are choosing either to limit their response or their input to the legislative process, or to register as a lobbyist and have to "give up, unwillingly, some of these rights."

REPRESENTATIVE BERKOWITZ noted that Ms. LaBolle's concern was that it was unfair, and he asked how she would feel about a complete ban on professional lobbyists making contributions to legislators, rather than "just on a district level."

MS. LaBOLLE said she knows many lobbyists who think that that would be okay; however, personally, she reiterated that she thinks that individuals who are citizens of [Alaska] should be able to contribute to any candidate they choose to support. In response to a reference by Representative Berkowitz regarding her previously stated example of someone playing golf with a legislator, Ms. LaBolle said that she has an excerpt from a letter that was sent to an individual, which says that that constitutes lobbying.

Number 2351

MIKE FRANK, testifying on behalf of himself, told the committee that he was the chair of Campaign Finance Reform Now! when that group put an initiative on the ballot in the mid-1990s to reform the state's campaign finance laws. He stated, "I am vigorously opposed to some of the principle provisions in Senate Bill 119 and, I guess, [in] what will be a House substitute." He offered the following history:

> After statehood, we had almost no regulation of campaign finance in Alaska until 1974, when citizens once again put an initiative on the ballot to reform the state's current laws. That initiative was taken off the ballot when the legislature passed something substantially similar. Unfortunately, that ... law that was passed had spending limits, which were struck down in Buckley v. Valeo in 1976. And ... basically, that decision eviscerated the intent of Alaska law. And as a consequence, between 1974 and ... the 1990s, campaigns in Alaska became more and more expensive, and candidates - particularly incumbents - became reliant on contributions from corporations, union political action committees, lobbyists, wealthy individuals, and other powerful special interests. And unfortunately, between 1974 and the mid-90s, the legislature refused to do anything to amend the law to accommodate the change required by Buckley v. Valeo.
>
> In the mid 1990s, I got together with former Representative David Finkelstein, and we decided the only way to reform the existing law was through another initiative. So we created Campaign Finance Reform Now! The goal of our organization was to refocus the financing of campaigns on the individual voter, in order to serve the democratic goal of one person, one vote. We wanted to reduce the corrupting influence that money from lobbyists, special interests, and the wealthy have on candidates - again, particularly on incumbents who have a much easier time raising money from the regulated interests - and on political parties. So, we wanted to lower contribution limits. We wanted to make it much more likely that the average voter who doesn't have $500 or $1,000 to contribute could participate in the financing of our elections.

The initiative significantly reduced contribution limits; it allowed only individuals to contribute to candidates and to political groups, including political parties; it banned the contributions from corporations and unions, trade associations; and imposed the lobbyist restriction that's in current law. It banned soft money entirely; there was no such thing as soft money. The slogan of our initiative was, "Big Money Out Of Alaska Politics." It was endorsed by four ex-governors: Governor[s] Hammond, Hickel, Cowper, and Sheffield. In a very well-attended press conference in 1995, each told stories of witnessing the corrosive influence of big money contributors during their political careers.

Number 2217

MR. FRANK added:

... We needed 21,000 signatures. We were overwhelmed with the positive response, [and] easily collected well over 30,000 signatures. We could have easily collected twice that in the time we had, if we wanted. In fact, Senator Tim Kelly, who was ... a representative at the time, did a poll which showed that 80 percent of Alaskans favored our initiative. Our initiative was placed on the ballot and, as you know, the legislature can knock ... an initiative off the ballot if it passes something substantially similar within a year. And we decided we would cooperate with the legislature, in an effort to come up with a broadly supported bill. We thought that was important. And therefore, we worked with the legislature and we compromised significantly on the stringency of the initiative; we raised the contribution limits; and we did a lot of other things to accommodate legislative interests. Eventually the bill passed. There were only two dissenting votes. And I should note that in the next election both of those people were thrown out of office.

In following the passage of the law, the Republican Party in particular ran advertisements declaring that it had delivered on campaign finance reform .... And as I think Brooke Miles mentioned, the law was challenged by the Alaska Civil Liberties Union

[AkCLU], but the supreme court upheld the law in a 5:0 vote, except for a provision that had not been in the initiative. And the U.S. Supreme Court denied a petition for hearing of [AkCLU's] appeal. Unfortunately, a portion of the law was struck down when the Republican Party sued in federal district court. That concerned the soft money ban. And, unfortunately again, the legislature quickly codified that ruling in state law, and passed a law over Governor [Tony] Knowles's veto. That created the soft money ban, which everybody is worried about today.

Number 2147

MR. FRANK continued:

But what ... Senate Bill 119, and what will be in the new House bill, does is make the soft money problem much, much worse. It basically eviscerates much of what we had in the initiative, and many of the provisions of current law that we compromised with in the legislature in the 1990s: It substantially raises contribution limits; it allows lobbyists to contribute again; [and] it eliminates the power of municipalities to make stricter laws in their own areas. It just is a bad, bad bill. The major provisions of it really are a breach of faith with those 31,000 people who signed the initiative in the mid-90s and who sought reform.

In the end, I would simply like to know what exactly the problems [are that] the Senate bill is trying to solve. How do these major changes in the 1995 law make our elections more democratic? How do they make the playing field level for all candidates, as opposed to making it easier for incumbents to raise money and for lobbyists to have influence. It seems to me that these ... suggested major changes in our law not only undercut the compromises we reached in the mid-1990s to pass or are broadly supported by the legislature, ... [but] don't address real problems. I think all they do is make it easier for incumbents to raise more money, [and] it makes it easier for the special interests to have inordinate influence on our elected officials. And so, I'm opposed to those, and I hope the committee takes a very, very hard look at some of the provisions and rejects them, ... keeps faith with

the people, makes sure our campaign finance reform law remains in place, and encourages democratic participation by our citizens.

Number 1922

REPRESENTATIVE BERKOWITZ asked Mr. Frank if, based on his understanding of the constitutionality of the law, it would be permissible to restrict the contributions of a political party so that they were no greater than any other interest group.

MR. FRANK responded that that is a hard question to answer. He said that he thinks political parties and groups were designed to allow the aggregation of money from people who otherwise couldn't make large contributions, in order to enable a larger voice for those people. He stated that he thinks that the courts ordinarily have been more solicitous of political parties and the amount of contribution they are allowed to make. He said he thinks the courts probably see the political parties as a filter that prevents the appearance of corruption and actual corruption; it's kind of a filter between individual contributors and political candidates.

MR. FRANK restated that he thinks if the contribution limits that individuals have to give to political parties are raised, then individuals may be given an inordinate voice in political party affairs, and, particularly, wealthy individuals may direct party affairs and channel funds more indirectly, and such would be harder to discern, and thereby gain undue influence. He concluded that he thinks that it is important to keep the amount of money that individuals are allowed to contribute to political parties down to a reasonable level, as well as to put "some reasonable cap" on the amount of money that political parties are allowed to contribute to any individual's campaign.

REPRESENTATIVE BERKOWITZ asked, "Is there any requirement that we recognize political parties in this state?" He added, "We don't at the municipal level."

MR. FRANK answered that he is unaware of any case law that requires the recognition of political parties. He said he thinks it's more a matter of traditional political practice than a matter of first amendment law.

REPRESENTATIVE BERKOWITZ asked whether, if the bill passes, is Mr. Frank aware of any discussion of having a referendum to repeal it.

MR. FRANK said he was not aware of any, and suggested that he and others would be likely to propose one. He said [the proposed legislation] is distressing. He said he knows that most of the committee members were not in the legislature in the mid-1990s. He posited that most of the legislators who participated in the discussion back then realized that "this was so popular that it was a political tar baby to oppose it." He stated that that is why the vote was so overwhelming in favor of it, and why people were so cooperative in trying to get something to the legislature that made sense. He mentioned the proponents of raising contribution limits and allowing lobbyists to contribute, and said, "If they want to run for political office, they have to pause to see how that will hurt their political future."

Number 1709

CHAIR WEYHRAUCH commented that candidates get to meet a lot of lobbyist's [spouses]. He asked how that would be effected by the proposed legislation.

MR. FRANK answered that he doesn't recollect that there are currently any restrictions regarding contributions from lobbyists' family members. In response to comments made by a previous witness, he noted that one of the things about the lobbyists' restriction is that lobbyists who support a candidate outside their own district can make independent expenditures and contribute to political parties, and can otherwise completely participate in political affairs. He explained, "It's really a minor restriction on their ability to participate in that they're not allowed to contribute outside their own district." In fact, he revealed, he personally collected approximately 2,600 signatures for the initiative drive. During that time, he said, countless lobbyists thanked him and thanked campaign finance reform for putting on the restriction. He related, "Present company excepted, ... many legislators, they said, were ... twisting their arm to make contributions, and they loved the idea of using the campaign finance reform bill as insulating them from this constant need to contribute and to go to fundraisers, and so on."

REPRESENTATIVE SEATON referred to the memorandum from APOC, dated April 21 [2003] and asked Mr. Frank if he could get a copy of it and label which points in it he does and does not have contention with.

MR. FRANK said he would be happy to do that.

Number 1531

LAURIE CHURCHILL, Founding Board Member, Alaska Voters Organization, told the committee that her organization is a statewide political education group. She referred to a formal resolution in support of APOC, which was passed by the Alaska Voters Organization board of directors on March 18, 2003, [included in committee packets] and which read as follows [original punctuation provided]:

ALASKA VOTERS ORGANIZATION

RESOLUTION 2003-05

A Resolution to the 23rd Alaska State Legislature in **OPPOSITION** to significant changes to, or elimination of, the Alaska Public Offices Commission (APOC).

WHEREAS, the Alaska Public Offices Commission began as the Alaska Election Campaign Commission (AECC) in 1974; and

WHEREAS, the incentive for campaign disclosure resulted from the Watergate scandal and a successful citizen initiative effort, which convinced our State Legislature to pass the Alaska Campaign Disclosure Law; and

WHEREAS, that same year, another initiative effort succeeded in placing Alaska's Public Official Financial Disclosure Law on the ballot, where it was approved by over 71% of the voters and became law in January 1975; and

WHEREAS, in 1976, the legislature revised state lobbying reporting by passing Alaska's Lobbying Law, with responsibility for its enforcement assigned to the AECC [Alaska Election Campaign Commission], which was renamed the Alaska Public Offices Commission (APOC), to reflect its newly expanded mission; and

WHEREAS, in 1990, the legislature responded to an increased demand for ethics regulation and disclosure by expanding its previous reporting requirements under the Conflict of Interest Law in the form of a new act,

Alaska's Legislative Ethics Disclosure Law, which created the Select Committee on Legislative Ethics to hear ethics violations; and

WHEREAS, the 1997 Alaska Campaign Disclosure Law was a response by the legislature to a citizens' initiative effort in 1996, which revised Alaska's 20 year-old campaign disclosure law to include stricter limitation and disclosure measures, including the prohibition of corporate and out-of-state group contributions to state and local candidates; and

WHEREAS, in 2003, legislation proposed by Governor Murkowski and members of the State Legislature, have put party politics ahead of good honest public policy; and

WHEREAS, attempts to significantly reduce lobbyists reporting requirements or to eliminate the non-partisan Alaska Public Offices Commission (APOC), violates the will of Alaskan voters, who spoke out on three separate occasions to create the very agency and regulations currently being threatened with elimination; and

WHEREAS, the unfettered access to information is the foundation of a democratic society; and

WHEREAS, the public has a right to know the truth about all funds paid to influence Alaska's legislature; and

WHEREAS, Governor Murkowski and the legislature's attempts to weaken or eliminate APOC, promote bad public policy that will further erode the public's trust in our government; and

WHEREAS, the citizens of Alaska have spoken loud and clear, "state laws should not be relaxed to make it easier for lobbyist to influence our elected officials";

NOW, THEREFORE, BE IT RESOLVED by the Alaska Voters Organization, Board of Directors, that we support existing Alaska statutes governing campaign disclosure and registration of lobbyists; and be it

FURTHER RESOLVED, that we oppose all efforts to reduce the effectiveness or existence of the Alaska Public Offices Commission (APOC).

ADOPTED BY THE ALASKA VOTERS ORGANIZATION BOARD OF DIRECTORS, THIS 18th DAY OF MARCH 2003.

Number 1210

CHAIR WEYHRAUCH announced that HB 157 was heard and held.

ADJOURNMENT

Number 1192

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 10:00 a.m.