

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

April 30, 2004

8:05 a.m.

MEMBERS PRESENT

Representative Bruce Weyhrauch, Chair
Representative Jim Holm, Vice Chair
Representative John Coghill
Representative Bob Lynn
Representative Paul Seaton
Representative Ethan Berkowitz
Representative Max Gruenberg

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 461

"An Act relating to enhanced 911 surcharges and to emergency services dispatch systems of municipalities, certain villages, and public corporations established by municipalities."

- MOVED CSHB 461(STA) OUT OF COMMITTEE

HOUSE BILL NO. 536

"An Act relating to applications for permanent fund dividends by certain individuals serving in the armed forces; and providing for an effective date."

- MOVED CSHB 536(STA) OUT OF COMMITTEE

HOUSE BILL NO. 557

"An Act regarding lobbyist prohibitions."

- HEARD AND HELD

HOUSE BILL NO. 460

"An Act relating to absences to provide care for certain relatives for purposes of permanent fund dividend eligibility; and providing for an effective date."

- HEARD AND HELD

SENATE JOINT RESOLUTION NO. 25

Recommending that certain federal funding restrictions be eased so that more villages in Alaska would qualify for assistance relating to flooding and erosion.

- MOVED SJR 25 OUT OF COMMITTEE

CS FOR SENATE BILL NO. 227(STA) am

"An Act relating to municipal runoff elections and to municipal initiative and referendum elections."

- MOVED HCS CSSB 227(STA) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 461

SHORT TITLE: EMERGENCY SERVICES DISPATCH/911 SURCHARGE

SPONSOR(S): REPRESENTATIVE(S) HOLM

02/16/04	(H)	READ THE FIRST TIME - REFERRALS
02/16/04	(H)	CRA, STA
03/02/04	(H)	CRA AT 8:00 AM CAPITOL 124
03/02/04	(H)	Heard & Held <Subcommittee Assigned>
03/02/04	(H)	MINUTE(CRA)
04/27/04	(H)	CRA AT 8:00 AM CAPITOL 124
04/27/04	(H)	Moved CSHB 461(CRA) Out of Committee
04/27/04	(H)	MINUTE(CRA)
04/28/04	(H)	CRA RPT CS(CRA) NT 1DP 5NR
04/28/04	(H)	DP: MORGAN; NR: ANDERSON, KOOKESH,
04/28/04	(H)	SAMUELS, WOLF, CISSNA
04/29/04	(H)	STA AT 8:00 AM CAPITOL 102
04/29/04	(H)	Heard & Held
04/29/04	(H)	MINUTE(STA)
04/30/04	(H)	STA AT 8:00 AM CAPITOL 102

BILL: HB 536

SHORT TITLE: PFUND APPLICATION DEADLINES FOR MILITARY

SPONSOR(S): RULES BY REQUEST OF ECON DEV, INT TRADE & TOURISM

03/15/04	(H)	READ THE FIRST TIME - REFERRALS
03/15/04	(H)	MLV, STA
04/06/04	(H)	MLV AT 1:00 PM CAPITOL 124
04/06/04	(H)	Moved CSHB 536(MLV) Out of Committee
04/06/04	(H)	MINUTE(MLV)
04/07/04	(H)	MLV RPT CS(MLV) NT 4DP 1NR
04/07/04	(H)	DP: LYNN, MASEK, CISSNA, STEPOVICH;
04/07/04	(H)	NR: DAHLSTROM

04/30/04 (H) STA AT 8:00 AM CAPITOL 102

BILL: HB 557

SHORT TITLE: LOBBYIST PROHIBITIONS

SPONSOR(S): RULES

04/21/04 (H) READ THE FIRST TIME - REFERRALS
04/21/04 (H) STA
04/26/04 (H) STA AT 8:00 AM CAPITOL 102
04/26/04 (H) <Bill Hearing Postponed to 4/30>
04/30/04 (H) STA AT 8:00 AM CAPITOL 102

BILL: HB 460

SHORT TITLE: ALLOWABLE ABSENCES AND PFDS

SPONSOR(S): REPRESENTATIVE(S) KERTTULA

02/16/04 (H) READ THE FIRST TIME - REFERRALS
02/16/04 (H) STA, FIN
04/01/04 (H) STA AT 8:00 AM CAPITOL 102
04/01/04 (H) Heard & Held
04/01/04 (H) MINUTE(STA)
04/30/04 (H) STA AT 8:00 AM CAPITOL 102

BILL: SJR 25

SHORT TITLE: FLOODING AND EROSION CONTROL ASSISTANCE

SPONSOR(S): SENATOR(S) OLSON

02/06/04 (S) READ THE FIRST TIME - REFERRALS
02/06/04 (S) CRA, STA
02/25/04 (S) CRA AT 1:30 PM FAHRENKAMP 203
02/25/04 (S) Moved SJR 25 Out of Committee
02/25/04 (S) MINUTE(CRA)
02/27/04 (S) CRA RPT 5DP
02/27/04 (S) DP: STEDMAN, LINCOLN, STEVENS G, ELTON,
02/27/04 (S) WAGONER
03/30/04 (S) STA AT 3:30 PM BELTZ 211
03/30/04 (S) Moved SJR 25 Out of Committee
03/30/04 (S) MINUTE(STA)
03/31/04 (S) STA RPT 4DP
03/31/04 (S) DP: STEVENS G, COWDERY, STEDMAN, GUESS
04/16/04 (S) TRANSMITTED TO (H)
04/16/04 (S) VERSION: SJR 25
04/19/04 (H) READ THE FIRST TIME - REFERRALS
04/19/04 (H) CRA, STA
04/27/04 (H) CRA RPT 5DP
04/27/04 (H) DP: ANDERSON, SAMUELS, WOLF, KOOKESH,
04/27/04 (H) MORGAN

04/27/04 (H) CRA AT 8:00 AM CAPITOL 124
04/27/04 (H) Moved Out of Committee
04/27/04 (H) MINUTE(CRA)
04/30/04 (H) STA AT 8:00 AM CAPITOL 102

BILL: SB 227

SHORT TITLE: MUNICIPAL ELECTIONS

SPONSOR(S): SENATOR(S) STEVENS G

05/15/03 (S) READ THE FIRST TIME - REFERRALS
05/15/03 (S) CRA, STA
02/18/04 (S) CRA AT 1:30 PM FAHRENKAMP 203
02/18/04 (S) Moved SB 227 Out of Committee
02/18/04 (S) MINUTE(CRA)
02/19/04 (S) CRA RPT 4DP 1NR
02/19/04 (S) DP: STEDMAN, LINCOLN, WAGONER,
02/19/04 (S) STEVENS G; NR: ELTON
02/24/04 (S) STA AT 3:30 PM BELTZ 211
02/24/04 (S) Heard & Held
02/24/04 (S) MINUTE(STA)
02/26/04 (S) STA AT 3:30 PM BELTZ 211
02/26/04 (S) Moved CSSB 227(STA) Out of Committee
02/26/04 (S) MINUTE(STA)
02/27/04 (S) STA RPT CS FORTHCOMING 1DP 2NR
02/27/04 (S) DP: STEVENS G; NR: COWDERY, STEDMAN
03/01/04 (S) STA CS RECEIVED SAME TITLE
03/26/04 (S) TRANSMITTED TO (H)
03/26/04 (S) VERSION: CSSB 227(STA) AM
03/29/04 (H) READ THE FIRST TIME - REFERRALS
03/29/04 (H) CRA, STA
04/27/04 (H) CRA RPT 1DP 4NR 1AM
04/27/04 (H) DP: ANDERSON; NR: SAMUELS, WOLF,
04/27/04 (H) KOOKESH, MORGAN; AM: CISSNA
04/27/04 (H) CRA AT 8:00 AM CAPITOL 124
04/27/04 (H) Moved Out of Committee
04/27/04 (H) MINUTE(CRA)
04/30/04 (H) STA AT 8:00 AM CAPITOL 102

WITNESS REGISTER

MATTHEW RUDIG, Staff
to Representative Jim Holm
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified on behalf of Representative Holm,
sponsor of HB 461.

LINDA FREED, City Manager
City of Kodiak
Kodiak, Alaska

POSITION STATEMENT: Testified in support of HB 461.

DAVID GIBBS, Emergency Manager
Kenai Peninsula Borough
Kenai, Alaska

POSITION STATEMENT: Testified in support of increased local control over surcharge assessment and answered questions, during the hearing on HB 461.

STEVE THOMPSON, Mayor
City of Fairbanks
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 461.

JIM HARPRING, Member
National Emergency Numbering Association (NENA)
(No address provided.)

POSITION STATEMENT: Testified during the hearing on HB 461.

BILL DOOLITTLE, Project Manager
Municipality of Anchorage
(No address provided.)

POSITION STATEMENT: Testified in support of HB 461.

GAIL VOIGTLANDER, Chief Assistant Attorney General - Statewide
Section Supervisor
Torts and Worker's Compensation Section
Civil Division (Anchorage)
Department of Law

POSITION STATEMENT: Testified on behalf of the department during the hearing on HB 461.

JAMES R. JACKSON JR., Attorney at Law
General Communications Incorporated (GCI)
Anchorage, Alaska

POSITION STATEMENT: Suggested a change of language for HB 461.

JOHN FULLENWIDER, Fire Chief
Municipality of Anchorage
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 461.

MARK MEW, President
Alaska Chapter

National Emergency Number Association (NENA)
(No address provided.)

POSITION STATEMENT: Testified during the hearing on HB 461.

ALLEN STOREY, Lieutenant
Central Office
Division of Alaska State Troopers
Department of Public Safety (DPS)
Anchorage, Alaska

POSITION STATEMENT: Testified in support of specific proposed language in Section 1 of HB 461, Version Z.

JON BITTNER, Staff
to Representative Cheryll Heinze
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 536 on behalf of Representative Heinze, sponsor; answered questions during the hearing on HB 557.

REPRESENTATIVE CHERYLL HEINZE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions, as sponsor of HB 536; presented HB 557, as sponsor.

SHARON BARTON, Director
Central Office
Permanent Fund Dividend Division
Department of Revenue
Juneau, Alaska

POSITION STATEMENT: Responded to a question, on behalf of the department, during the hearing on HB 536.

HAROLD HEINZE
(No address provided.)

POSITION STATEMENT: Testified on behalf of himself during the hearing on HB 557.

TAMMY KEMPTON, Regulation of Lobbying
Alaska Public Offices Commission (APOC)
Department of Administration
Juneau, Alaska

POSITION STATEMENT: Answered questions on behalf of APOC, during the hearing on HB 557.

PAMELA LaBOLLE, President

Alaska State Chamber of Commerce (ASCC)

Juneau, Alaska

POSITION STATEMENT: Testified during the hearing on HB 557.

AURORA HAUKE, Staff

to Representative Beth Kerttula

Alaska State Legislature

POSITION STATEMENT: Testified during the hearing on HB 460, on behalf of Representative Kerttula, sponsor.

HAVEN HARRIS, Staff

to Senator Donny Olson

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Introduced SJR 25 on behalf of Senator Olson, sponsor.

SENATOR GARY STEVENS

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As sponsor, presented SB 227.

DALE STRAUBE, Staff

to Senator Ben Stevens

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Answered questions on behalf of Senator Ben Stevens.

ACTION NARRATIVE

TAPE 04-74, SIDE A

Number 0001

CHAIR BRUCE WEYHRAUCH called the House State Affairs Standing Committee meeting to order at 8:05 a.m. Representatives Holm, Seaton, Lynn, and Weyhrauch were present at the call to order. Representatives Coghill, Berkowitz, and Gruenberg arrived as the meeting was in progress.

HB 461-EMERGENCY SERVICES DISPATCH/911 SURCHARGE

[Contains discussion of HB 499.]

Number 0024

CHAIR WEYHRAUCH announced that the first order of business was HOUSE BILL NO. 461, "An Act relating to enhanced 911 surcharges

and to emergency services dispatch systems of municipalities, certain villages, and public corporations established by municipalities."

Number 0044

CHAIR WEYHRAUCH offered his understanding that a motion had been made at the [4/29/04] meeting to adopt the committee substitute (CS) for HB 461, Version 23-LS1633\Z, Cook, 4/28/04, as a work draft and an objection had been made to that motion. [No further discussion took place regarding that objection, the committee treated Version Z as adopted.]

Number 0085

CHAIR WEYHRAUCH moved to adopt Amendment 1, which read as follows [original punctuation provided]:

Page 3, Line 22
Delete "resolution or"
Page 3, Line 31
Delete "resolution or"

REPRESENTATIVE HOLM objected [for discussion purposes].

Number 0100

MATTHEW RUDIG, Staff to Representative Jim Holm, Alaska State Legislature, testifying on behalf of Representative Holm, sponsor of HB 461, explained the purpose of Amendment 1 is to clear up language in current statute.

Number 0150

REPRESENTATIVE HOLM withdrew his objection. There being no further objection, Amendment 1 was adopted.

Number 0169

REPRESENTATIVE HOLM moved to adopt Amendment 2, which read as follows [original punctuation provided]:

Page 3, Line 26
Insert after company ", competitive local
exchange company"
Page 4, Line 21

Insert after company ", or a competitive local exchange company"

CHAIR WEYHRAUCH objected.

REPRESENTATIVE HOLM indicated that Amendment 2 defines what [the local companies] are.

Number 0245

MR. RUDIG said Amendment 2 clarifies that all phone companies in the state are covered under the bill.

Number 0281

CHAIR WEYHRAUCH removed his objection to Amendment 2 and asked if there was any further objection. There being none, Amendment 2 was adopted.

Number 0339

REPRESENTATIVE HOLM moved to adopt Amendment 3, which read as follows [original punctuation provided]:

Page 5, Line 26

Insert after company "competitive exchange company, wireless reseller,"

REPRESENTATIVE LYNN objected for discussion purposes.

MR. RUDIG clarified how the language would read with Amendment 3. In response to a question from Chair Weyhrauch, he confirmed that, in formulating the amendments that the committee is considering today, he had some contact with the following: the Alaska Municipal League (AML), the National Emergency Numbering Association (NENA), [Alaska Communication Systems, Inc. (ACS)], and [General Communications Incorporated (GCI)].

Number 0495

REPRESENTATIVE LYNN removed his objection.

CHAIR WEYHRAUCH asked if there was any further objection. There being none, Amendment 3 was adopted.

Number 0509

REPRESENTATIVE HOLM moved to adopt Amendment 4, which read as follows [original punctuation provided]:

Page 5, Line 24
Delete "(1)"
Insert "(6)"

REPRESENTATIVE LYNN objected.

MR. RUDIG directed that committee's attention to page 2, lines 16-20, which read as follows:

(6) is based on the exercise or performance of a duty in connection with an emergency services dispatch system or an enhanced 911 system, including providing, maintaining, or operating any toll-free, statewide default public safety answering point, and is not based on an intentional act or omission amounting to misconduct or on an act or omission amounting to gross negligence.

MR. RUDIG explained that Amendment 4 is a cross-reference [to that language]. He added, "And that was the suggestion of [Gail] Voigtlander, [Department of Law]."

Number 0587

REPRESENTATIVE LYNN removed his objection.

CHAIR WEYHRAUCH asked if there was any further objection. There being none, Amendment 4 was adopted.

Number 0608

REPRESENTATIVE HOLM moved to adopt Amendment 5, which read as follows [original punctuation provided]:

Page 4, Line 28
Delete "address"
Insert "statement"

CHAIR WEYHRAUCH objected.

Number 0644

MR. RUDIG offered his understanding that Amendment 5 would help phone companies delineate between residential and commercial properties.

Number 0653

REPRESENTATIVE SEATON asked if a series of buildings rented out as apartments would be considered commercial or residential.

MR. RUDIG answered that "it would be per residential line in ... an apartment building."

CHAIR WEYHRAUCH said people get a statement in the mail and numerous people may get statements within one address.

REPRESENTATIVE SEATON explained that he is trying to figure out if there are any situations in which there are multiple residents in one place with only one statement generated.

REPRESENTATIVE HOLM clarified that [the statement] would be sent to the address.

CHAIR WEYHRAUCH removed his objection. He asked if there was any further objection to Amendment 5. There being none, it was so ordered.

Number 0738

REPRESENTATIVE HOLM moved to adopt Amendment 6, which read as follows [original punctuation provided]:

Page 4, Line 24

Insert after company "or wireless reseller,"

REPRESENTATIVE LYNN objected.

MR. RUDIG observed that Amendment 6 is similar to the previously adopted Amendments 2 and 3; it is all-inclusive.

REPRESENTATIVE LYNN withdrew his objection.

CHAIR WEYHRAUCH asked if there were further objections. There being none, Amendment 6 was adopted.

Number 0975

CHAIR WEYHRAUCH announced that the committee would hear public testimony.

Number 0882

LINDA FREED, City Manager, City of Kodiak, emphasized that HB 461 is an important issue to the City of Kodiak, which is the regional public safety answering point for the entire Kodiak area. She said the city operates the enhanced E-911 system for the Kodiak road system. She stated that the most important portion of the bill is [Section 4], which would, by ordinance, give the city the ability to set a levy at the appropriate level for the community. She said, "We would urge your passage of this legislation, so that it may go on to the [House] floor and perhaps to the Senate and get ... passed this year." Ms. Freed offered to answer questions.

Number 0960

MS. FREED, in response to questions from Representative Seaton, revealed that [the City of Kodiak's] current charge is at a cap of 75 cents per month, per line. She predicted that the city would continue to subsidize with other tax resources, such as its sales tax. She said, "I believe the city council would look at trying to recoup some additional revenue from the levy, but would not levy the entire amount to pay for the whole system."

MS. FREED, in response to a question from Chair Weyhrauch, noted that another portion of the bill that [the city] likes is that it would be able to "use the funds to help pay for dispatch services." She continued as follows:

E-911 is only the calls coming into the center; we actually have a large infrastructure built up to have the calls go out of the center. So, we spend, roughly, \$500,000 annually to operate our E-911 and emergency dispatch center. So, we bring in roughly \$45-50,000 a year from the current levy. So, it's a substantial local government subsidy, through sales tax.

Number 1061

REPRESENTATIVE GRUENBERG directed attention to page 4, [beginning on line 16 through line 19], which read as follows:

The municipality may [ONLY] use the enhanced 911 surcharge for the enhanced 911 system and for the actual labor and equipment used to provide emergency services dispatch, but not for costs of providing the medical, police, fire, rescue, or other emergency service, or for any other purpose.

REPRESENTATIVE GRUENBERG asked Ms. Freed, "Do you support that limitation on your local power?"

MS. FREED answered yes. She said she interprets that language as allowing a broader use of the funds. She added, "We don't intend to use any of the levy that we might be able to assess for actual response activities."

Number 1115

DAVID GIBBS, Emergency Manager, Kenai Peninsula Borough, told the committee that he is a resident of Soldotna and administers the 911 program for the borough. He stated that the borough applauds the increased local control over the surcharge assessment, because it will enable the borough to recover more [money]. Currently, all the municipalities in the borough run a deficit of approximately \$1.8 million and collect approximately \$650,000 in surcharge revenue. The cost for all of the jurisdictions, including all of the cities, is approximately \$2.5 million for 911 and dispatch services.

MR. GIBBS noted that the bill does not define the term "emergency services dispatch", and therefore he suggested adding a definition to AS 29.35.137, based on the national standards of either NENA or the National Fire Protection Association (NFPA). The definition should include computer-aided dispatch and other processes by which an alarm received at a communication center [is] transmitted to an emergency response facility or to emergency response units in the field.

MR. RUDIG noted that there was a definition of "emergency services dispatch" and he doesn't know why it was pulled out.

Number 1260

MR. GIBBS, in response to a question from Representative Berkowitz, noted that one of the definitions to which he had referred could be found in the NFPA standard 12.21.1221.

CHAIR WEYHRAUCH asked how the public would benefit from having that definition included in the bill.

MR. GIBBS answered as follows:

Well, in our situation, in the Kenai Peninsula Borough, the borough assumes the responsibility for call-taking, E-911 services. Many of the cities, for example, Kenai, Homer, and Seward, actually provide dispatch services. One of the ... concerns we have about this bill: If the Act doesn't clarify how revenues are to be collected and disseminated, based upon the differing services amongst differing municipalities.

REPRESENTATIVE HOLM asked why it wouldn't be okay for the municipalities to "figure it out themselves." Furthermore, he asked why the legislature would want to "put it in state statute to tell you how to disseminate the funds to individual municipalities within a borough." He offered his understanding that the Kenai Peninsula Borough is a second class borough, which he said is the same as the Fairbanks [Northstar] Borough, where the dispatch center is run by the City of Fairbanks, not the borough.

MR. GIBBS replied that [the Kenai Peninsula Borough] runs the centralized call-taking facility and dispatch center. He added, "We also have a borough-run dispatch center and the cities also run dispatch centers."

Number 1352

REPRESENTATIVE BERKOWITZ said he hopes that definition will be included in the bill. He noted that "all the other terms are defined under [AS] 29.35.137.

Number 1365

REPRESENTATIVE SEATON asked Mr. Gibbs if he is saying that he would like to see the revenues go to 911 receiving centers, but that he doesn't want to see them funneled off to fund local dispatch systems, such as "regular police and fire" dispatch systems.

MR. GIBBS stated his concern is that if the revenue collections are not adequate to cover "the total cost of both services,

we're going to be faced with a situation on how to allocate those revenues between multiple jurisdictions."

Number 1410

CHAIR WEYHRAUCH turned to the definition, which read as follows:

"emergency services dispatch" means a service offered by a municipality that provides continuous day and night dispatch of emergency medical, police, fire, or rescue services using enhanced 911 facilities.

CHAIR WEYHRAUCH asked Representative Berkowitz if he would offer that as [Conceptual Amendment 7].

REPRESENTATIVE BERKOWITZ said, "I would offer that if we strike the term 'by a municipality', because it's not always offered by a municipality."

CHAIR WEYHRAUCH clarified that [Conceptual Amendment 7, as amended] would read:

"emergency services dispatch" means a service offered that provides continuous day and night dispatch of emergency medical, police, fire, or rescue services using enhanced 911 facilities.

CHAIR WEYHRAUCH objected [to Conceptual Amendment 7, as amended, for discussion purposes].

Number 1450

REPRESENTATIVE GRUENBERG asked if that definition comes from the NFPA source previously referred to by Mr. Gibbs.

MR. GIBBS answered he doesn't know.

REPRESENTATIVE GRUENBERG suggested that the committee look at the definition referenced by Mr. Gibbs, because it is apparently a well-defined term.

CHAIR WEYHRAUCH said he would like to take action on the amendment.

REPRESENTATIVE GRUENBERG offered his understanding that if ["enhanced 911 system"] is defined in Title 29, then it needs to be referenced in the amendment to Title 9, in Sections 1 and 2

of the bill, otherwise "they won't necessarily look back at Title 29 for the definition."

CHAIR WEYHRAUCH suggested a conforming amendment.

CHAIR WEYHRAUCH removed his objection to Amendment 7, [as amended]. He asked if there was any further objection.

REPRESENTATIVE GRUENBERG asked, "Does that require that it be an enhanced 911 system, or is that just an option under that definition?"

Number 1535

REPRESENTATIVE HOLM noted that the title of the bill deals with enhanced 911 and 911 emergency dispatch systems. He suggested that the word "enhanced" could be deleted.

REPRESENTATIVE GRUENBERG directed attention to page 2, line 17, which refers to "emergency services dispatch system or an enhanced 911 system". He said, "So, presumably, some of these places might not have enhanced systems."

REPRESENTATIVE HOLM reiterated that "**emergency services dispatch systems**" is in the title of the bill.

CHAIR WEYHRAUCH asked again if there was any further objection to Amendment 7, [as amended]. There being none, Amendment 7, [as amended], was adopted.

Number 1588

MR. GIBBS turned to Section 4 of the bill, which would amend AS 29.35.131(a) by authorizing a surcharge, based upon each exchange billing statement for wireline telephones. He stated, "We, as a borough, strongly encourage the existing language to remain, where the charge is based on access lines for wireline telephones." He noted that many addresses have numerous wireline telephones, and the borough's costs for maintaining, for example, ALI [automatic location identification] database information are not reduced by virtue of telephones' sharing the same billing address. He continued as follows:

By only authorizing one surcharge per billing address, the state is requiring those people with one telephone line to subsidize those with more than one telephone line to their billing address.

MR. GIBBS added that imposing a surcharge based upon billing address is (indisc.) national practice.

CHAIR WEYHRAUCH said, "Basically, ... this is a motion to rescind our action in adopting Amendment 5, which deleted "address" and inserted "statement". He offered his understanding that Mr. Gibbs wants the word "address" added back.

MR. GIBBS clarified, "Actually, we would encourage the charge to be based on access line, which is the language of the original bill version."

CHAIR WEYHRAUCH observed that Mr. Gibbs was referring to the language on page 4, lines 28-29, which read: "on a local exchange billing address [ACCESS LINE] for a wireline telephone."

Number 1681

MR. RUDIG said the point of enhanced 911 is that the responder will go to the office from which the call originates. Therefore, it is fairer for people in a residence with multiple lines to only pay one surcharge. He said it was a compromise worked out with AML; the intent was not to have those people charged for their modem and facsimile lines, for example.

Number 1745

REPRESENTATIVE SEATON, regarding the previously adopted Amendment 5, directed attention to page 4, line 5, and suggested that Amendment 5 be made conceptual, to cover any other places in the bill where "billing address" should go.

CHAIR WEYHRAUCH stated, "So noted for the record, to make it consistent; I'll just write that on the amendment."

Number 1766

MR. RUDIG, in response to a question from Representative Berkowitz, offered his understanding that an access line is "any line you can dial 911 from." He noted that the definition could be found in AS 29.135.137.

Number 1824

REPRESENTATIVE BERKOWITZ sought clarification as follows:

I'm sort of seeing three schemes that are emerging here, and this is why I wish this was over in the RCA. Access lines - pretty much every phone gets a charge. Statement means if you bundle it, that could be like a big bundling. And, I guess, in between those two is per address. So, if you want to do it [so that] everybody pays based on their phone, it's access line. If you want to do it ... only per customer, you would do it [by] statement, because whether [or not] you're ... the biggest company in the world, you can get one statement. And if you want to do something in between, you'd do address. Is that right?

MR. RUDIG offered his belief that it is the intent of the sponsor that each residential member who has multiple lines in his/her home pays one enhanced 911 surcharge. A business with multiple lines would pay a surcharge on each line.

REPRESENTATIVE HOLM added, "That's correct - up to 100."

REPRESENTATIVE BERKOWITZ clarified that the distinction is between residential and commercial, but he said commercial could still be on an access line basis.

MR. RUDIG said he believes that's correct.

REPRESENTATIVE SEATON clarified that the discussion is in regard to phone lines, not phones themselves. He said, "You may have 10 phones in your house ... accessing one line, or you may have three lines."

Number 1896

MR. GIBBS proffered that the borough also pays a charge per access line for maintaining the database information. Presently, that charge is approximately 18 cents per line, which comes off the top of the 75-cent surcharge per access line. He said the expectation is that charge will rise as new [automatic location identification (ALI)] database maintenance agreements are made.

MR. GIBBS stated a concern regarding billing statements for which the revenues may be improperly distributed among the municipalities. For example, in the Kenai Peninsula Borough, many residents from outside of the cities - but still

technically in the borough - use a billing address at post office boxes inside the city. Mr. Gibbs suggested that there may have to be a better mechanism for distributing the costs and collecting the revenue associated with delivering the services.

Number 1939

CHAIR WEYHRAUCH asked if there is any distinction made if a business is operated out of a home.

MR. RUDIG said he doesn't know. He surmised that it would depend upon the local exchange companies, because those companies have different rates for residential and commercial [lines].

Number 1974

MR. GIBBS said:

Remember that telephone companies only provide telecommunications; they don't inquire as to the purpose of the occupancy. Our jurisdiction would be severely challenged, in terms of resources, to ... compare telephone subscriber records with business licenses or building permits, to determine the type of occupancy. So, we would have no way of determining whether it's a residential line or business located within a residence.

MR. RUDIG related that he has been told that telephone companies can make that distinction.

Number 2018

STEVE THOMPSON, Mayor, City of Fairbanks, emphasized that the city supports HB 461, Version Z, and the amendments that were just adopted. He said, "We think this is really going to help pay for that emergency dispatch and phone-taking services." He noted that Version Z would replace language, which would result in the city being able to enhance its 911 system and pay for that service. He added that he thinks it's important for and will help the entire state. He thanked Representative Holm and Mr. Rudig for their efforts in introducing HB 461.

Number 2061

JIM HARPRING, Member, National Emergency Numbering Association (NENA), directed the committee's attention to page 4, line 7. He mentioned the difference between residential billing addresses versus large, industrial areas, in terms of revenue. He offered an example of a hospital where there would be multiple lines, but only one billing address. He observed that that concept doesn't "appear to be any place in the current [bill version]."

MR. RUDIG stated that it would be the purview of the committee whether to [allow] more municipal control regarding exemptions.

Number 2156

BILL DOOLITTLE, Project Manager, Municipality of Anchorage, told the committee that he manages the upgraded 911 system. He stated his support of HB 461, because he said it would show significant improvements for 911 programs, statewide. He offered to answer questions.

Number 2188

GAIL VOIGTLANDER, Chief Assistant Attorney General - Statewide Section Supervisor, Torts and Worker's Compensation Section, Civil Division (Anchorage), Department of Law, stated that if a definitional section is added for emergency services dispatch, it needs to be consistent and have language that ties it to the service, rather than who provides that service.

MS. VOIGTLANDER directed attention to page 2, lines 16-22, [text provided previously], and said that she supports having a definition that "cross-references whatever definition is adopted for Title 29."

CHAIR WEYHRAUCH asked Ms. Voigtlander to look at the bill again when "the next committee substitute of this bill comes out," to ensure that it addresses those issues.

Number 2283

JAMES R. JACKSON JR., Attorney at Law, General Communications Incorporated (GCI), stated that GCI supports a bill that can help with the provision of E-911 service. He noted, however, that there are issues in [Version Z] that need to be addressed. First, he emphasized that it's important that the bill ensure equal charges between wireless and wireline phones. The current proposed language, he noted, says that the municipality "may"

impose a charge. He explained that since the language is permissive, a municipality could choose to charge only wireline, and not wireless, or vice versa. He suggested that language be added to require that a municipality that elects to impose a charge must impose the same charge on both wireless and wireline phones. In response to a question from Chair Weyhrauch, he offered his belief that that language could be added to Section 4.

Number 2350

MR. RUDIG responded that it would be the purview of the committee to make that decision. He added, "We may want to stay back to local control and lobby that at the municipality level when they make the decision to impose a surcharge on both."

MR. JACKSON, returning to his testimony, stated, "We are, frankly, quite bothered by the fact that there is no cap whatsoever on the charge, at this point."

TAPE 04-74, SIDE B

Number 2368

MR. JACKSON mentioned the possibility that some jurisdictions may try to impose charges of over \$6 per line. He surmised that that's what would be needed in Kodiak and perhaps Kenai to recover all the costs, "even if today they don't think they would go that high." He indicated that charges that go that high would create a substantial issue in imposing "this level of cost on telephone service." He posed: "I guess we have to, to some extent, question the underlying premise that this is a charge which is appropriate to collect entirely from telephone users." He said it's not that the telephone system is imposing these costs on society. In some ways, he explained, it's the opposite of that; the telephone system enables a valuable public safety service to be provided. He continued as follows:

Certainly, some of the costs are related to a per line basis. And I think Mr. Gibbs, from Kenai, mentioned that they pay 18 cents per access line to maintain the database. So, certainly, there are some costs that are still on a per access line basis, but at the same time, in large part, this isn't just simply [a] valuable safety service, which our society has deemed desirable, that should be paid for through general tax revenue.

So, we believe that a cap should be imposed. The amount of money that can be collected from approximately ... 600,000 wireline and wireless telephones across the state -- you really start talking about normal sums of money, if you're talking about charges that start being [\$3-\$5]. We have, in the past, supported the versions of the bill that have had caps of \$1.

As to the cap, we do think it's a good idea to have a limit on the number of charges that apply to a user that has more than 100 access lines, such as exists ... under present law. It would be, for instance, hospitals and that type [of] thing that was mentioned previously.

MR. JACKSON, regarding the previous question regarding whether or not telephone [companies] distinguish between residential and business users, stated, "It's certain that we do try to." People who run businesses from home should be paying a business rate.

Number 2253

MR. RUDIG mentioned the "magic number" and trying to figure out what it is. He indicated that the emergency dispatch service surcharge system and related costs could change from year to year and the legislature should revisit the issue each year.

Number 2210

REPRESENTATIVE HOLM stated that one of the problems to rectify through the bill is that the control is not at the municipal level, because that makes it difficult for municipalities to function.

CHAIR WEYHRAUCH asked Mr. Jackson to "provide language" to the committee.

Number 2142

JOHN FULLENWIDER, Fire Chief, Municipality of Anchorage, stated that when people in Anchorage call 911, they expect that the call will be answered and the services they need will be provided right away. He stated, "This bill goes a long ways in allowing us to do just that. In its current form, it will allow local government to place the expense of operation and

maintenance squarely where it belongs, and that is, of course, on the user." He said Representative Holm and Mr. Rudig have done an excellent job with HB 461.

MR. FULLENWIDER noted that there still is an issue regarding the PBX system. He added, "However, I believe that yesterday that was covered, using the capitol as an example." He noted another issue in regard to telephone companies and adding surcharges to the bill. He said, "No doubt they receive a little heat concerning these charges, but this bill, by allowing local government to set the surcharge, should alleviate some of that concern." Mr. Fullenwider encouraged the committee to move [HB 461] out of committee.

Number 2083

MARK MEW, President, Alaska Chapter, National Emergency Number Association (NENA), regarding a previously stated concern of Mr. Gibbs over whether or not 911 surcharge money could be used for a CAD [computer aided dispatch] system, suggested looking at the definition of the 911 system in existing statute. He said permissible costs are listed there. He continued as follows:

We changed that in the statute - I'm going to say it was in '99 or 2000, at the same time we added the wireless surcharge for the first time - and expanded what was in the definition of a 911 system, specifically to cover CAD systems. At that point in time, we weren't conceiving of separate dispatch and 911 centers, necessarily, but that was our thought at the time, and it may be that that definition is already there and in place to allow for those expenses.

MR. MEW said he's heard a lot of discussion during the previous testimony regarding whether billing should be based upon a phone bill, an address, the telephone itself, or the local exchange access line. He said he thinks there is some confusion about definitions, and he suggested that "we" may be trying to solve a nonexistent problem. He noted that NENA, on the national level, has set standards. He revealed that an access line is not the same as "a telephone set at the end." He explained, "You can have a few access lines and a lot of sets." He continued as follows:

The national standards are to base your billing on access lines for the purpose of landline - wireline,

and on telephone numbers, for [the] purpose of wireless. And I think we're not the first ones to have this debate, and I think I'd encourage you to consider the national standards; they're well thought out, well published, and everyone understands them around the country.

Number 1936

When NENA started working on legislation about a year ago, we held our first meetings with the House in October, before the session started - that was with a different committee. But over the course of the last few months, NENA has identified nine items that we believe need addressing in our statutes. We filed our version of the bill - that was [HB] 499 - and later tried to get [HB] 499 and [HB] 461 merged. I commend everybody's work on this. A lot of things have happened in the last 24 hours; a lot of concerns we had yesterday have been addressed, and I do hope the bill moves in some form today.

I would like to point out, though, that of the nine things that NENA has tried to accomplish, this bill takes up three of them head on and deals with them. The other ... five ... this bill doesn't conceive of at all, and it seems to be missing around the edges on the local exchange access line issue. I think the state needs to deal with the additional issues. I don't know if we'll get it done in the Senate, or if we'll have to do it next year, but remaining to be accomplished [is] dealing with the issue of phase two cost recovery. That's mostly, I think, going to be an industry issue, and if we don't deal with it, I think there'll be quite a bit of friction and a few battles in the future.

Number 1900

MR. MEW mentioned "prepaid wireless." He noted that he had heard today that wireless resellers is being added to the language of Version Z. He said he doesn't know if that would cover prepaid wireless, or not. He added that it seems it would, but he doesn't know if there is a collection mechanism there. He said the issue of statewide point of contact has not been addressed. If it is not addressed, the state will not be eligible for significant federal funding, which will be

available soon. He indicated that the issue of unincorporated boroughs has been addressed.

MR. MEW said the last item he would address is the private switch ALI. He continued as follows:

Mr. Fullenwider ... used the capitol example. I think the situation is worse than that. I've been told - I can't confirm it - that you could work on the North Slope, call 911, pass out, and the Anchorage Police Department would get the call and ... would send first responders to Alyeska [Pipeline Service Company's] offices ... in Anchorage. What we would like is the ability of local jurisdictions to be able to enact legislation, so that we can correct those issues. Right now, the situation is you could spend all the money you wanted on building a functioning 911 system, and other people could buy services that, essentially, would negate what you've done.

MR. MEW said the aforementioned issues are ones that he hopes [the legislature] will address in the future, and he said he hopes that "the bill moves forward in some form today."

Number 1845

ALLEN STOREY, Lieutenant, Central Office, Division of Alaska State Troopers, Department of Public Safety (DPS), expressed excitement about the provisions of Section 1, on page 2, [lines 16-20], because the addition of that language will provide "protection to the state that ... will be enjoyed by municipalities." He indicated that these are functions that the state already performs. In response to a question from Representative Holm, he confirmed that the bill, in its current form, would have a zero fiscal note.

Number 1806

CHAIR WEYHRAUCH announced that public testimony was closed. He mentioned a letter of intent.

Number 1794

REPRESENTATIVE SEATON referred to the second line in the letter of intent and asked, "Are we talking about [the] Division of Homeland Security, within the Department of Military and Veterans' Affairs?"

CHAIR WEYHRAUCH suggested that "the Division of Homeland Security" could be left out, in order to keep the language generic.

MR. RUDIG said that would be fine.

REPRESENTATIVE GRUENBERG suggested that "we simply say, 'It is the intent of the legislature that the Coordinator be established to coordinate'."

REPRESENTATIVE SEATON added, "to coordinate and facilitate".

Number 1682

CHAIR WEYHRAUCH clarified that the amendment to the letter of intent would read as follows:

It is the intent of the legislature that a state 911 Coordinator be established to coordinate.

CHAIR WEYHRAUCH asked if there was any objection to the amendment to the letter of intent. There being none, it was so ordered.

Number 1660

CHAIR WEYHRAUCH removed his previously stated objection to Version Z.

Number 1649

REPRESENTATIVE SEATON moved to report CSHB 461, Version 23-LS1633\Z, Cook, 4/28/04, as amended, out of committee, with individual recommendations, attached fiscal note, and the [amended] letter of intent. There being no objection, CSHB 461(STA) was reported out of the House State Affairs Standing Committee.

HB 536-PFUND APPLICATION DEADLINES FOR MILITARY

Number 1628

CHAIR WEYHRAUCH announced that the next order of business was HOUSE BILL NO. 536, "An Act relating to applications for permanent fund dividends by certain individuals serving in the armed forces; and providing for an effective date."

[Before the committee was CSHB 536(MLV).]

Number 1588

JON BITTNER, Staff to Representative Cheryll Heinze, Alaska State Legislature, presented HB 536 on behalf of Representative Heinze, sponsor. He stated that HB 536 was drafted in response to several calls received by Representative Heinze from those in the armed services serving in Iraq and Afghanistan, who were either shipping out or overseas in a war zone during the application period for the Alaska permanent fund dividend (PFD). The proposed legislation would allow an extension of the application period for members of the armed services who receive "hostile fire imminent danger pay." The bill would allow those people 90 days, after getting out of that situation where communications are inaccessible, to apply. If passed, the bill would take effect 90 days after passage and would be retroactive to 2003.

Number 1525

CHAIR WEYHRAUCH questioned the retroactivity date.

MR. BITTNER said the sponsor wants the bill to apply specifically to members of the armed services who "are serving in the last Iraqi war and in Afghanistan." In response to a question from Representative Lynn, he said the bill would still apply in the future.

Number 1476

REPRESENTATIVE CHERYLL HEINZE, Alaska State Legislature, as sponsor of HB 536, explained that the first group of marines to Baghdad did not receive their PFDs. She offered an example.

Number 1431

CHAIR WEYHRAUCH moved to adopt Amendment 1, [to add a] Section 4, which would provide that "this Act sunsets on December 31, 2004".

Number 1427

REPRESENTATIVE GRUENBERG objected. He stated, "This is going to go into permanent law and, unfortunately, ... countries, including this country, seem to find themselves in harm's way

from time to time - not just this year." He said young people have no choice about going [to war] and should "receive the protection of this law."

REPRESENTATIVE LYNN concurred with Representative Gruenberg.

Number 1383

REPRESENTATIVE SEATON expressed concern regarding allowing people to apply for PFDs retroactively and said he thinks the Permanent Fund Dividend Division should be consulted.

REPRESENTATIVE GRUENBERG stated a point of order; he suggested Representative Seaton's concerns were not expressly to the point of the amendment.

Number 1341

REPRESENTATIVE GRUENBERG withdrew [his objection to Amendment 1].

Number 1304

REPRESENTATIVE GRUENBERG asked Representative Heinze if she supports Amendment 1.

REPRESENTATIVE HEINZE indicated that she can see both sides, and suggested that Ms. Barton, Permanent Fund Dividend Division, could address the question.

CHAIR WEYHRAUCH explained that he had proposed Amendment 1 to correlate with the previously stated intent of the bill to cover those serving in Iraq and Afghanistan.

REPRESENTATIVE HEINZE reiterated that the language could go either way. She stated that she believes in the men and women who fight [for the United States], and [without Amendment 1], the bill would cover those serving in future wars.

REPRESENTATIVE GRUENBERG stated that this is an important issue. He explained, "Because if you're only going to do it for two years, this should go in a temporary Act."

REPRESENTATIVE SEATON offered his understanding that the sponsor had indicated that "they've cleared this situation up so it won't be happening in the future."

REPRESENTATIVE HEINZE said there is hope that it won't happen again, but it could. She noted that Ms. Barton had talked about spending some money to get the message to these folks that "this is out there."

Number 1212

REPRESENTATIVE GRUENBERG said he feels strongly about this issue. He explained, "I'm not a great fan of expanding the permanent fund [dividend] to everybody, but these are people who need it."

CHAIR WEYHRAUCH asked Representative Heinze if "individuals in this situation" couldn't get power of attorney.

REPRESENTATIVE HEINZE answered that they could.

Number 1171

REPRESENTATIVE SEATON offered his understanding that it is possible to apply for a PFD online. He asked if part of the problem that Representative Heinze is addressing had to do with delayed mail.

REPRESENTATIVE HEINZE responded, "That is exactly the first thing that we looked at, is ... if this is online, why was this young marine not able [to get his PFD]." That marine had access to nothing, not even a place to sleep.

Number 1118

SHARON BARTON, Director, Central Office, Permanent Fund Dividend Division, Department of Revenue, in response to the issue of whether or not to have a sunset clause, said it would appear that [the United States] is involved in "short-term events" with the military, but it would be a policy decision for the committee to make.

REPRESENTATIVE GRUENBERG said he has been in war, and he emphasized that those in war do not know where they will be at any given time. He opined that [the legislature] should be going out of its way to help [those in the service].

Number 1060

A roll call vote was taken. Representatives Holm, Seaton, and Weyhrauch voted in favor of Amendment 1. Representatives

Gruenberg, and Lynn voted against it. Therefore, Amendment 1 was adopted by a vote of 3-2.

Number 1014

REPRESENTATIVE HOLM moved to report CSHB 536(MLV), as amended, out of committee, [with individual recommendations and the attached fiscal notes].

REPRESENTATIVE LYNN asked if there could be reconsideration of the previously recorded roll call vote.

REPRESENTATIVE GRUENBERG said the current motion before the committee would first have to be withdrawn.

CHAIR WEYHRAUCH asked Representative Holm what he would like to do.

REPRESENTATIVE HOLM said he was maintaining his motion.

CHAIR WEYHRAUCH asked if there was any objection to moving CSHB 536(MLV), as amended, out of committee, [with individual recommendations and the attached fiscal notes]. There being none, CSHB 536(STA) was reported out of the House State Affairs Standing Committee.

HB 557-LOBBYIST PROHIBITIONS

Number 0930

CHAIR WEYHRAUCH announced that the next order of business was HOUSE BILL NO. 557, "An Act regarding lobbyist prohibitions."

CHAIR WEYHRAUCH stated, "We have CS for HB 557, Version U. This is a work draft." [No motion was made at this time to adopt the committee substitute (CS) for HB 557, Version 23-LS1921\U, Craver, 4/26/04, as a work draft].

Number 0920

REPRESENTATIVE CHERYLL HEINZE, Alaska State Legislature, as sponsor of HB 557, stated that the bill would protect people, legislators, and legislative employees from threats and or bullying, in relation to their testimony before a committee. She said 99 percent of lobbyists are sophisticated people; people who are welcome into her office and whose perspective and

knowledge she values. She indicated that it is only a few lobbyists who push the envelope on their code of ethics.

REPRESENTATIVE HEINZE said she had looked into the lobbyists' code of ethics and found "it was virtually nonexistent." She noted that in working with [the Alaska Public Offices Commission (APOC)], she has diligently tried to keep the language of the bill specific and "very narrow." She emphasized that she views lobbyists as a valuable part of the [legislative] process. She also emphasized that "it is the process that we must collectively protect." Representative Heinze, [in regard to bullying], stated that intimidation and fear of retribution works. She said she strongly believes that there should be freedom of speech without retribution; legislators should be able to introduce bills and follow them through, without fear of retribution. Furthermore, she said that any person who testifies before a committee or via teleconference should be allowed to do so, without fear of retribution. She stated, "Just as there is sanctity in the court room, there must be sanctity in the legislative process." She said it is up to legislators [to protect that sanctity]. She said the legislative code of ethics was used as a guide, as well as "some language of some of the other states."

Number 0700

HAROLD HEINZE, testifying on behalf of himself, told the committee that he is a 30-year resident of Alaska. He revealed that he has testified before municipal assemblies, the legislature, and the U.S. Congress. He mentioned an Associated Press (AP) article carried by the Anchorage Daily News, regarding [HB 557]. He said he was surprised not to see reflected in that article, any outrage by legislators. He said it seems to him that this issue goes far beyond free speech. He stated, "When I read this article, I sort of felt I was [hearing] a judge in a courtroom saying, 'Well, it was only a little bit of jury tampering - nothing really to worry about.'" He indicated that it's hard enough for most folks to testify, without having any feeling that something could happen to them for expressing their thoughts to the legislature. He stated that he's not certain that the bill goes far enough, in terms of penalties. He rated this issue on par with the seriousness of jury tampering in a courtroom. He concluded, "I think that's the way you should look at the process here and how it would impact the people that are before you." He thanked the committee for the opportunity to present his views openly.

CHAIR WEYHRAUCH said some legislators don't call the press to comment, so, the fact that there was no outrage from legislators is not that surprising. He also noted that no one [from the press] called him. Notwithstanding that, he said, "I think we share your concern."

Number 0460

TAMMY KEMPTON, Regulation of Lobbying, Alaska Public Offices Commission (APOC), Department of Administration, stated that, currently, the commission does not have a position on HB 557, and it has submitted a zero fiscal note. She said there may be a fiscal impact on the commission as a result of "this amendment to the lobbying law"; however, it would be impossible at this point to quantify what that impact might be. She explained that if there are dozens of complaints filed, there will be a strong fiscal impact.

MS. KEMPTON continued, by reading from her written testimony [included in the committee packet], as follows:

The fiscal note we submitted was based on the original version of HB 557, not on the committee substitute. The original version did not include civil penalties for violations of Section 121 and current law does not provide civil penalties for such violations. The only penalties currently are criminal. Thus, if a violation did occur, the commission would be required to conduct a full investigation, hold a hearing, make a determination, and then, if a violation was found, report the violation to the Department of Law, who then would make a determination whether or not to proceed. This is a time-consuming and expensive process.

The committee substitute gives the commission authority to impose civil penalties against a lobbyist who violates any of the provisions of AS 24.45.121 and this is a very positive change. The commission will be able to conduct an investigation and, if a violation is found, they would suspend the violator's lobbyist registration and/or impose a fine of not more than \$5,000. The ability to impose a civil penalty will enable the commission to stop the behavior more quickly and with less cost than imposing a criminal penalty. And the criminal penalties are still available for the most egregious cases.

We do, however, have a concern with this bill, and that is that it's not going to accomplish its intent. Because of the change to the lobbying statute last year, an employee lobbyist is not required to register until he or she has lobbied for 40 hours in a 30-day period. So, an employee lobbying for his or her employer, who engages in this type of behavior, or thinks they might, will simply not register. And the commission has no authority over employee lobbyists who have not yet triggered the requirement to register. This legislation will prevent a professional lobbyist from engaging in such behavior. Presently, we have 60 professional lobbyists and 66 employee lobbyists [registered]. Last year at this time ... we had 72 professional lobbyists and 114 employee lobbyists.

MS. KEMPTON offered to answer questions from the committee.

Number 0204

REPRESENTATIVE SEATON directed attention to page 3, [beginning on] line 8 [of Version U], which read as follows:

(i) will take or withhold or will cause another person to take or withhold a legislative, administrative, or political action, including support for or opposition to a bill, employment, nominations, or appointments; in this sub-subparagraph, "political action" has the meaning given in AS 24.60.990; or

REPRESENTATIVE SEATON, in regard to this language, asked if not supporting a person in an election would be a criminal offense.

MS. KEMPTON said she has not read Version U and is not familiar with the term "political action" and how it is defined, because the definition is in the legislative ethics code, not the lobbyists' code.

CHAIR WEYHRAUCH stated for the record that the committee is "speaking to" Version U.

Number 0085

REPRESENTATIVE COGHILL noted that the definition is [within] AS 24.60.990, and read as follows:

(13) "political action" means conduct in which public officials, including legislators or legislative employees, use their official position or political contacts to exercise influence on state and local government employees or entities; it includes but is not limited to endorsing and pledging support or actively supporting a legislative matter, a nominee, or a candidate for public office;

REPRESENTATIVE COGHILL said, "I wonder how you would hold somebody accountable for that as a lobbyist, under this ... rule."

REPRESENTATIVE SEATON said political action is what takes place in the legislature.

TAPE 04-75, SIDE A

Number 0001

REPRESENTATIVE SEATON questioned again whether political support would be a violation.

Number 0039

MS. KEMPTON responded, "Lobbyists aren't allowed to support candidates, in terms of giving political contributions, and they're not allowed to fundraise or serve on their campaign. And they can only give contribution to those candidates ... in the district in which they're eligible to vote."

CHAIR WEYHRAUCH noted that what [lobbyists] can do is talk to political action committees, groups, or individuals and encourage support and contributions to one candidate over another.

Number 0094

REPRESENTATIVE HEINZE remarked that she has tried to keep the bill narrow, so that it only applies to "testimony in a committee."

Number 0132

REPRESENTATIVE COGHILL said, "If there was an implication on record, that it might involve some political action, then they would be in violation."

CHAIR WEYHRAUCH said, "You could imply a political threat to oppose one bill, in exchange for a vote for another, and that happens a lot."

Number 0182

REPRESENTATIVE COGHILL responded, "Your example is good, and especially if they are substantive issues that have political ramifications that would be legitimate for a lobbyist to comment on."

Number 0194

JON BITTNER, Staff to Representative Cheryll Heinze, Alaska State Legislature, sponsor, clarified that the provisions of the bill would only kick in if a threat was used to influence the way someone testifies or whether or not he/she testifies.

REPRESENTATIVE COGHILL indicated that "hidden in the language" is the problem that would exist in substantiating such a threat. He indicated that APOC would have to be involved and it may be one person's word against the other's.

MR. BITTNER offered his understanding that a civil hearing would be held. He said the burden of proof would not be as heavy as it is in criminal law, although it would still be fairly substantial.

Number 0331

REPRESENTATIVE SEATON asked [about a situation in which] the bullying or intimidation wasn't "solely in the mind of the person that's being intimidated or bullied."

MR. BITTNER said that although he agrees with Representative Seaton, the sponsor felt that "by tying it to the way you testify before a committee ... would make it a little more clear - a little more substantial." He added, "You can be bullied, but it would be difficult to think you were being bullied to change your testimony, without some sort of proof."

REPRESENTATIVE SEATON said he doesn't see the narrowness of "this." He directed attention to [page 3], lines 14-16, which read as follows:

(B) bully or intimidate with the intent of influencing a legislator, legislative employee, or member of the public in regard to taking a position on an issue, voting, testifying, or lobbying.

REPRESENTATIVE SEATON said, "This is not narrow on testimony to a committee. I mean, this is any time that they were going to ... talk to a legislator, and you don't want them to say something on that. And if they felt intimidated, that would be a charge to this ethics violation, as I see it." He suggested asking for APOC's opinion.

Number 0452

REPRESENTATIVE LYNN asked how he would defend himself if he were a lobbyist who was accused.

Number 0482

PAMELA LaBOLLE, President, Alaska State Chamber of Commerce (ASCC), indicated that the language is so broad that if a lobbyist were to state his/her disagreement with something, for example, he/she may be open to civil fine and lose the ability to lobby.

REPRESENTATIVE LYNN asked, "Have you ever appeared before a committee and have a legislator do a variety of bullying you?"

MS. LaBOLLE answered yes. She noted that in the aforementioned article, she did say that legislators have a greater ability to bully lobbyists than lobbyists do legislators.

REPRESENTATIVE SEATON indicated that the aforementioned language on page 3, lines 14-16, would include lobbyists arguing with lobbyists.

REPRESENTATIVE HEINZE said there are bullies in school yards, but they are not allowed to continue their bullying. She remarked that some of those bullies grow up to bully as adults. She said she wants "those sideboards," and indicated that she wants committee input and also to see the bill moved out of committee.

CHAIR WEYHRAUCH stated that he had made a commitment to Ms. LaBolle to hear HB 557 and to "ask if there was a motion to move this bill today." He told Representative Heinze that it was her

call whether she wanted him to ask for a motion, or to hold the bill for further study.

Number 0754

REPRESENTATIVE COGHILL stated that he is not prepared to vote to move the bill today. He said he appreciates what Representative Heinze is trying to do; however, he stated that if a person has a serious disagreement with somebody, one person may think they are being intimidated. He said he doesn't know "how we could get down to proving that, even when it's in testimony before a committee." He revealed that he has had some heated exchanges with people during testimony, because "we got caught in the moment of a discussion." He admitted he has even gotten angry with people who have not liked his position.

CHAIR WEYHRAUCH asked Representative Heinze again whether or not she wanted the committee to make a motion to move the bill.

REPRESENTATIVE HEINZE clarified that the bill is not about "he said, she said"; there has to be a "mountain of evidence." She credited APOC as being smart enough to know that. She expressed her willingness to work with each member of the committee to tighten up the language of the bill as it moved to the House floor.

CHAIR WEYHRAUCH reiterated his question to Representative Heinze, and asked if there was a motion to move HB 557.

REPRESENTATIVE COGHILL reiterated his recommendation to hold the bill, because the issue is a huge one. He indicated that the bill needed to be narrowed down.

REPRESENTATIVE HEINZE said, "I can do that."

Number 0900

CHAIR WEYHRAUCH, in response to Representative Coghill, clarified that his intention had been to take action on the bill, but he wants to leave that decision up to the sponsor.

REPRESENTATIVE HEINZE reiterated her idea of working with each of the committee members before the bill "hits the [House] floor."

CHAIR WEYHRAUCH said, "That sounds like committee work."

REPRESENTATIVE LYNN said he thinks the committee is "nibbling around the edge of a serious issue," and he has problems with the way the bill is currently written.

Number 0068

CHAIR WEYHRAUCH indicated his intention to hear HB 557 again.

[HB 557 was heard and held.]

HB 460-ALLOWABLE ABSENCES AND PFDS

Number 0985

CHAIR WEYHRAUCH announced that the next order of business was HOUSE BILL NO. 460, "An Act relating to absences to provide care for certain relatives for purposes of permanent fund dividend eligibility; and providing for an effective date."

[From this point forward, the committee substitute (CS) for HB 460, Version 23-LS1700\D, Cook, 4/1/04, was treated as adopted and before the committee as a work draft.]

Number 0999

AURORA HAUKE, Staff to Representative Beth Kerttula, Alaska State Legislature, testifying on behalf of Representative Kerttula, sponsor, explained that the intent of the original bill was to allow people to provide care for critically ill or injured family members, no matter where that family member became ill. She indicated that when the sponsor discussed the bill with the Permanent Fund Dividend Division, it was pointed out that the language may imply that [the individual started out being ill inside of the state and then had to go outside of the state for care].

MS. HAUKE directed attention to page 3, beginning on line 9, which read as follows:

- (d) For purposes of (a)(6) and (7) [(a)(7)] of this section, "family member" means a person who is
- (1) legally related to the individual through marriage or guardianship; or
 - (2) the individual's sibling, parent, grandparent, son, daughter, grandson, granddaughter, uncle, aunt, niece, nephew, or first cousin.

Number 1115

REPRESENTATIVE SEATON asked, "So, the intent of this is if there is an Alaskan who has someone who's a non-Alaskan who's injured, they can leave for how long and still continue to collect dividends?"

MS. HAUKE offered her understanding that the length of time would be the same as for any other allowable absence. She guessed five years.

REPRESENTATIVE SEATON said, "So, it's under the 10-year time frame, so it starts in 2008, if that's the cutoff that you're talking about." In response to a question from Representative Gruenberg, he clarified that the 10-year window "starts in 2008," but is not "from 2008."

Number 1202

REPRESENTATIVE GRUENBERG asked if "critical life-threatening" is defined in statute.

MS. HAUKE said she doesn't know.

REPRESENTATIVE GRUENBERG said he has a problem with the broadness of the language regarding the definition of a family member.

MS. HAUKE noted that the sponsor chose to leave the language as it currently is in statute.

Number 1289

REPRESENTATIVE GRUENBERG noted that he doesn't have a problem with the language, "[PARENT, SPOUSE, SIBLING, CHILD, OR STEPCHILD]".

Number 1303

CHAIR WEYHRAUCH said he has an amendment that would change the sunset to "January 1, 2006", so that the legislature has the opportunity to "come back and look at it."

REPRESENTATIVE HOLM stated that he thinks the language is broad. He questioned the inclusion of "first cousin".

Number 1355

REPRESENTATIVE GRUENBERG, in response to a request by Chair Weyhrauch, moved [to adopt the committee substitute (CS) for HB 460, Version 23-LS1700, Cook, 4/1/04, as work draft].

CHAIR WEYHRAUCH objected.

Number 1385

REPRESENTATIVE GRUENBERG moved to adopt Amendment 1, as follows:

On page 2, lines 10-11:

Delete "family member"

Retain "[PARENT, SPOUSE, SIBLING, CHILD, OR
STEPCHILD]"

On page 3, lines 8-14:

Delete Section 2 of the bill

CHAIR WEYHRAUCH objected to Amendment 1.

Number 1394

REPRESENTATIVE LYNN asked if a grandparent is considered a parent. He also asked, "And what about an aunt or an uncle?"

REPRESENTATIVE GRUENBERG answered, "No, it's not." He clarified that "the terms are used differently here."

Number 1406

REPRESENTATIVE SEATON recalled a floor debate last year regarding this issue. He said he thinks the committee is getting into something that is not proposed in the bill. He turned attention to [page 2], line 11, which read, "critical life-threatening illness or injury", and he said he is not certain whether "critical life-threatening" applies to "injury".

REPRESENTATIVE GRUENBERG clarified that "critical life-threatening" would modify both "illness" or "injury".

REPRESENTATIVE LYNN said he would like to add "grandparent".

REPRESENTATIVE GRUENBERG said he would consider that a friendly amendment [to Amendment 1].

CHAIR WEYHRAUCH clarified that the amendment to Amendment 1 would add "grandparent" to the list [on page 2, lines 10-11, text previously provided].

Number 1498

REPRESENTATIVE SEATON asked if the committee realizes the following:

We are no longer talking about an Alaskan who was injured; we are talking about someone who is injured who is Outside, and we have an Alaskan who goes out to care for them. Now, if ... it's a [critical] life-threatening illness, and they become a dependent on that person, then, under other portions, that person may ... - having never been here - be eligible for a [permanent fund dividend (PFD)], because they're a dependent of the Alaskan who's out on allowable absence. If ... we create this as an ... extended allowable absence, anyone who's a dependent upon that person can also receive a permanent fund dividend check.

REPRESENTATIVE GRUENBERG responded that that's a good point and may be a problem in current law.

Number 1533

REPRESENTATIVE LYNN said he has kids Outside, but they don't receive a permanent fund.

CHAIR WEYHRAUCH clarified that Representative Seaton had pointed out that "we're opening it up for everybody." He said, for example, "Why don't we just give permanent fund dividends to every relation to the member who lives in Alaska?"

REPRESENTATIVE LYNN said he doesn't think the amendment does that.

Number 1553

REPRESENTATIVE SEATON clarified:

The way this works, if you look at the statutes as what's allowed: If you're a dependent, such as the military, if you have children that are dependent on somebody that's on active duty that rotated up here,

... was here, and leaves, all of those dependents are accompanying a person ... that's got an allowable absence. And so, they are under the accompanying allowable absence person - the person on active duty.

And my question here is that we're going to have the same thing where we're going to have somebody with an allowable absence, and a dependent on that allowable absence, and then qualify for the PFD.

[HB 460 was heard and held.]

Number 1605

The meeting was recessed at 10:09 a.m. to a call of the chair.

TAPE 04-76, SIDE A

Number 0001

CHAIR WEYHRAUCH called the meeting back to order at 2:08 p.m. Present at the call back to order were Representatives Holm, Seaton, Lynn, Gruenberg, and Weyhrauch.

SJR 25-FLOODING AND EROSION CONTROL ASSISTANCE

[Contains discussion of HB 327.]

Number 1040

CHAIR WEYHRAUCH announced that the next order of business was SENATE JOINT RESOLUTION NO. 25, Recommending that certain federal funding restrictions be eased so that more villages in Alaska would qualify for assistance relating to flooding and erosion.

Number 0059

HAVEN HARRIS, Staff to Senator Donny Olson, Alaska State Legislature, on behalf of Senator Olson, sponsor, read the sponsor statement, as follows:

Senate Joint Resolution 25 is a resolution requesting the Army Corp of Engineers ease their cost benefit analysis for projects in rural Alaska.

Senator Olson has proposed this resolution in response to many concerns voiced by my constituents with

regards to the erosion and flooding problems that plague Western Alaska. Currently, many of the villages in Western Alaska are not receiving the assistance needed for the protection of life and property.

On November 8, 2003, a winter storm hit western Alaska. This storm caused considerable damage to Unalakleet, Shishmaref, and some of Nome's surrounding areas. While the governor has declared a state of disaster because of this storm, the continued effect[s] of erosion on the villages of Alaska are not going to be solved by emergency disaster declarations. A more comprehensive, coordinated effort is required by the Army Corps of Engineers and other federal and state agencies.

Senator Olson and our office respectfully urge your support for this resolution to focus attention on this serious problem.

MR. HARRIS noted that although the sponsor statement talks about erosion in Western Alaska, it is a serious problem in other parts of the state, as well; therefore, the "**BE IT RESOLVED**" section of the resolution [on page 2, lines 14-18] includes all communities in the state.

Number 0194

REPRESENTATIVE HOLM, for the record, characterized HB 327 as a companion bill to SJR 25, because it also deals with cost benefits analyses that [are not economically feasible]. He expressed his appreciation for SJR 25 and said he hopes it can be supported.

Number 0265

REPRESENTATIVE SEATON, [in regard to the section of the bill addressing sending "**COPIES**" of the resolution, on page 2, lines 19-26], suggested that the copies be sent by electronic transmission to avoid possible problems of sending them by mail.

Number 0306

REPRESENTATIVE SEATON moved to report SJR 25 out of committee with individual recommendations [and the accompanying fiscal

notes]. There being no objection, SJR 25 was reported out of the House State Affairs Standing Committee.

SB 227-MUNICIPAL ELECTIONS

Number 0335

CHAIR WEYHRAUCH announced that the last order of business was CS FOR SENATE BILL NO. 227(STA) am, "An Act relating to municipal runoff elections and to municipal initiative and referendum elections."

[Before the committee was CSSB 227(STA)am.]

Number 0353

SENATOR GARY STEVENS, Alaska State Legislature, as sponsor of SB 227, told the committee that the bill basically has two separate parts. He said he would first speak to the last half, which is Sections 4, 5, and 6. He explained that he introduced the bill, at the request of local governments, in order to avoid costly initiative elections and referendums.

SENATOR GARY STEVENS noted that current law forces municipalities to hold initiatives and referendums within 75 days. Normally, municipalities hold their annual elections in October; often, having a special election would be costly, time consuming, and a real burden on municipalities. He offered the example of the Fairbanks Northstar Borough's having 46 petitions filed in a four-month period. He reported that the result was only one special election, but it could have been much worse. He explained, "Each special election costs them about \$35,000; plus they need additional volunteers; plus there's the workload on municipal employees."

SENATOR GARY STEVENS continued as follows:

The goal of this bill is to ... result in cost-savings to the municipalities, if they chose to wait until the next regular election. The key thing is, you realize, this gives them the option; it doesn't force them. If there's an issue that can wait, they can wait until the next election.

SENATOR GARY STEVENS directed attention to the first part of the bill, Sections 1, 2, and 3, deal specifically with Anchorage and the requirement that the mayor have over 50 percent of the vote.

He concluded, "So those two were amended on the Senate floor, and that's why you have this bill in front of you."

Number 0513

REPRESENTATIVE HOLM stated that [the content in] Sections 4, 5, and 6 is essentially what was going to be put forth as a House bill. He expressed appreciation for [SB 227].

Number 0621

REPRESENTATIVE SEATON stated his support of Sections 4, 5, and 6.

Number 0683

REPRESENTATIVE LYNN asked if this is the same bill that has resulted in many e-mails being sent to his office regarding local control.

SENATOR GARY STEVENS replied that he suspects it's the same bill. He clarified, "The portion I introduced was [Sections] 4, 5, and 6; the portion introduced on the floor of the Senate by Senator Ben Stevens amended it in Sections 1, 2, and 3, which essentially has to do with the Anchorage ... mayoral election."

REPRESENTATIVE LYNN said the "very hot" e-mails had to do with the state telling a city what to do after the city had already taken a vote on "how to do it." He stated concern regarding "less than 50 percent for mayor"; however, he said it's a municipal concern, rather than a state concern.

Number 0749

CHAIR WEYHRAUCH remarked that there seems to be a vague line between local versus state [issues].

SENATOR GARY STEVENS stated that the principle of local control is a valid one, and Sections 4, 5, and 6 would allow enormous local control.

REPRESENTATIVE LYNN asked, "What about the 40 percent for mayor?"

SENATOR GARY STEVENS reiterated that was an amendment that was made on the Senate floor; he voted for it and it passed. He noted that both distinct issues of the bill fit under the title.

REPRESENTATIVE LYNN asked for guidance regarding [the mayoral issue].

SENATOR GARY STEVENS explained that the motion on the [Senate] floor was to require the mayor of Anchorage to have ... over 50 percent of the votes.

REPRESENTATIVE LYNN said he agrees with that philosophically, but he's not sure he agrees that the state ought to mandate that.

Number 0928

CHAIR WEYHRAUCH stated that the committee would now address Sections 1, 2, and 3.

Number 0935

REPRESENTATIVE GRUENBERG directed attention to an e-mail that he received from David Ramseur [included in the committee packet], expressing concern regarding the amendment by Senator Ben Stevens and the [Voting Rights Act of 1965]. He asked if there was a legal opinion contrary to what Mr. Ramseur stated, or if he may assume that "there are going to be serious problems with that."

DALE STRAUBE, Staff to Senator Ben Stevens, Alaska State Legislature, answering questions on behalf of Senator Ben Stevens, told Representative Gruenberg that this is the first time he has heard of the issue.

REPRESENTATIVE GRUENBERG said the real question is "whether it's fair to minority voters." He said he thinks that's an issue that's as important as anything else.

Number 1050

REPRESENTATIVE SEATON, in response to a request by Chair Weyhrauch, moved to adopt CSSB 227(STA)am, as a work draft.

REPRESENTATIVE HOLM objected.

MR. STRAUBE said he doesn't see anything in the aforementioned e-mail that gives any factual background or case law. He said he doesn't understand how requiring "50 plus 1" violates the Voting Rights Act [of 1965].

REPRESENTATIVE GRUENBERG responded that it was never said that the law is logical. He explained that what the federal Voting Rights Act [of 1965] requires is "pre-clearance" by the justice department, "with an eye to determining whether ... whatever change it is may significantly affect the voting rights of a minority population." He said Mr. Ramseur is making the point that raising the requirement from 45 to 50 percent may negatively effect minority voters.

MR. STRAUBE noted that prior to the change to 45 percent, the requirement was 50 percent. Furthermore, he offered his understanding that the charter amendment that dropped the requirement to 45 percent had not been cleared by the justice department prior to being enacted and "it was after the fact."

REPRESENTATIVE GRUENBERG stated that it's not a question of what it was before, but of what the change is. He offered an example.

Number 1244

REPRESENTATIVE GRUENBERG moved to adopt an amendment, which read as follows [original punctuation provided]:

Page 1, line 12 to Page 2, Line 6: delete all material

Renumber sections accordingly

REPRESENTATIVE GRUENBERG said he wanted to make changes to the amendment, to delete "12" and insert "4", and to delete "all materials" and insert "Sections 1-3".

CHAIR WEYHRAUCH clarified that the amendment would be called Amendment 1 and would include the changes. Amendment 1 read as follows:

Page 1, line 4 to Page 2, Line 6: delete Sections 1-3

Renumber sections accordingly

Number 1288

CHAIR WEYHRAUCH asked if there was any objection to Amendment 1.

REPRESENTATIVE HOLM objected.

REPRESENTATIVE GRUENBERG offered three reasons to support Amendment 1: One, there's a significant problem with the U.S. Voting Rights Act and the federal district court says such changes require pre-clearance with the justice department; two, as Representative Lynn said, the amendment [to SB 227] was done at the state level, but it is a matter of local elections; and three, "this was passed by a significant majority of Anchorage voters and this legislature should give deference to that." He added, "If we can do this to Anchorage, then every municipality in the state is at risk."

REPRESENTATIVE HOLM maintained his objection.

Number 1359

SENATOR GARY STEVENS responded that the State of Alaska laws do control elections throughout the state. He noted that traditional American voting has always been 50 percent, plus one; that appears in Robert's Rules of Order. He said he doesn't see how requiring over half of the public to vote for a candidate disenfranchises any element of the public. He spoke for leaving this language in the bill. He said, "It is, I think, perfectly within our right to establish those rules as state legislature."

Number 1439

MR. STRAUBE said that Anchorage, as the largest community in the state, has the financial means to hold runoff elections. He said one of the arguments to drop the number to 45 percent to avoid a runoff had to do with the cost of running the election. He noted, "Well, most recently, the Anchorage assembly and the mayor proposed to put on a ballot question that raised a tax, so it's obviously well within the means of the Anchorage community to afford to pay for the democratic process."

MR. STRAUBE noted that the aforementioned e-mail has today's date marked on it and was not sent to the sponsor or to other members of the committee. He said he doesn't want to hold up the bill, but he thinks "you would want to get a legal comment from the Department of Law, or at least something else a little more specific, in writing, other than just an e-mail from Mr. Ramseur."

REPRESENTATIVE GRUENBERG noted that there is no policy that the governor of the state be elected by a majority. He said it looks like the operation of Section 3 of the bill would allow a

community with less than 100,000 residents to "opt out of this by ordinance." He indicated that this constitutes serious equal protection arguments here. He question why the municipality of Anchorage should be "disallowed from opting out."

SENATOR GARY STEVENS stated his concern that if the bill fails it would mean more cost to communities. He encouraged the committee to pass the bill as it is.

Number 1635

REPRESENTATIVE SEATON stated that he thinks it's poor public policy for the legislature to be overriding votes of local communities. He noted that half of the representatives in the House are representing the communities that "this specifically deals with," but he is not one of them; therefore, he is willing to "let them decide on the floor of the House."

Number 1660

A roll call vote was taken. Representatives Gruenberg voted in favor of Amendment 1. Representatives Holm, Seaton, and Weyhrauch voted against it. Therefore, Amendment 1 failed by a vote of 1-3.

Number 1685

REPRESENTATIVE SEATON moved to adopt Amendment 2, which read as follows [original punctuation provided]:

Page 1, line 8,
After the words "no candidate receives..."
Delete the word "**over**"

Page 1, line 14
Delete "**over**"
Insert "**more than**"

Page 2, line 3,
Delete the word "**over**"
Insert the words "**more than**"

CHAIR WEYHRAUCH objected.

REPRESENTATIVE SEATON explained that the term "over" is not defined in statute.

SENATOR GARY STEVENS said he has no objection to Amendment 2.

MR. STRAUBE stated that he has no objection to Amendment 2.

Number 1730

CHAIR WEYHRAUCH removed his objection to Amendment 2. He asked if there was any further objection. There being none, Amendment 2 was adopted.

Number 1758

REPRESENTATIVE HOLM moved to report CSSB 227(STA)am, as amended, out of committee with individual recommendations and the accompanying fiscal notes.

Number 1770

REPRESENTATIVE GRUENBERG objected.

Number 1780

A roll call vote was taken. Representatives Seaton, Lynn, Holm, and Weyhrauch voted in favor of moving CSSB 227(STA)am, as amended, out of committee. Representative Gruenberg voted against it. Therefore, HCS CSSB 227(STA) was reported out of the House State Affairs Standing Committee by a vote of 4-1.

ADJOURNMENT

Number 1811

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 2:41 p.m.