

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

March 8, 2005

8:03 a.m.

MEMBERS PRESENT

Representative Paul Seaton, Chair
Representative Carl Gatto, Vice Chair
Representative Jim Elkins
Representative Bob Lynn
Representative Jay Ramras
Representative Berta Gardner
Representative Max Gruenberg

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Gabrielle LeDoux

COMMITTEE CALENDAR

HOUSE JOINT RESOLUTION NO. 8

Expressing support of Alaska Army National Guard soldiers deployed worldwide.

- MOVED HJR 8 OUT OF COMMITTEE

HOUSE BILL NO. 83

"An Act relating to the Alaska Seismic Hazards Safety Commission."

- MOVED CSHB 83(MLV) OUT OF COMMITTEE

HOUSE BILL NO. 144

"An Act authorizing an advisory vote on whether income of the Alaska permanent fund in the earnings reserve account should be used for a community dividend program."

- HEARD AND HELD

HOUSE BILL NO. 94

"An Act relating to qualifications of voters, requirements and procedures regarding independent candidates for President and

Vice-President of the United States, voter registration and voter registration records, voter registration through a power of attorney, voter registration using scanned documents, voter residence, precinct boundary and polling place designation and modification, recognized political parties, voters unaffiliated with a political party, early voting, absentee voting, application for absentee ballots through a power of attorney, or by scanned documents, ballot design, ballot counting, voting by mail, voting machines, vote tally systems, initiative, referendum, recall, and definitions in the Alaska Election Code; relating to incorporation elections; and providing for an effective date."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HJR 8

SHORT TITLE: SUPPORTING ALASKA ARMY NATL. GUARD

SPONSOR(S): REPRESENTATIVE(S) WEYHRAUCH

02/02/05	(H)	READ THE FIRST TIME - REFERRALS
02/02/05	(H)	MLV, STA
02/17/05	(H)	MLV AT 1:00 PM CAPITOL 124
02/17/05	(H)	Moved Out of Committee
02/17/05	(H)	MINUTE(MLV)
02/18/05	(H)	MLV RPT 5DP
02/18/05	(H)	DP: GRUENBERG, ELKINS, THOMAS, DAHLSTROM, LYNN
03/08/05	(H)	STA AT 8:00 AM CAPITOL 106

BILL: HB 83

SHORT TITLE: SEISMIC HAZARDS SAFETY COMMISSION

SPONSOR(S): REPRESENTATIVE(S) LEDOUX

01/19/05	(H)	READ THE FIRST TIME - REFERRALS
01/19/05	(H)	MLV, STA, FIN
02/03/05	(H)	MLV AT 1:00 PM CAPITOL 124
02/03/05	(H)	Moved CSHB 83(MLV) Out of Committee
02/03/05	(H)	MINUTE(MLV)
02/04/05	(H)	MLV RPT CS(MLV) NT 6DP
02/04/05	(H)	DP: MCGUIRE, CISSNA, ELKINS, DAHLSTROM, GRUENBERG, LYNN
03/08/05	(H)	STA AT 8:00 AM CAPITOL 106

BILL: HB 144

SHORT TITLE: ADVISORY VOTE ON COMMUNITY DIVIDEND

SPONSOR(s): REPRESENTATIVE(s) THOMAS

02/14/05 (H) READ THE FIRST TIME - REFERRALS
02/14/05 (H) STA, FIN
03/08/05 (H) STA AT 8:00 AM CAPITOL 106

BILL: HB 94

SHORT TITLE: ELECTIONS

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

01/21/05 (H) READ THE FIRST TIME - REFERRALS
01/21/05 (H) STA, JUD, FIN
02/03/05 (H) STA AT 8:00 AM CAPITOL 106
02/03/05 (H) Heard & Held
02/03/05 (H) MINUTE(STA)
02/08/05 (H) STA AT 8:00 AM CAPITOL 106
02/08/05 (H) Heard & Held
02/08/05 (H) MINUTE(STA)
02/10/05 (H) STA AT 8:00 AM CAPITOL 106
02/10/05 (H) Heard & Held
02/10/05 (H) MINUTE(STA)
02/17/05 (H) STA AT 8:00 AM CAPITOL 106
02/17/05 (H) Heard & Held
02/17/05 (H) MINUTE(STA)
02/19/05 (H) STA AT 10:00 AM CAPITOL 106
02/19/05 (H) Bills Previously Heard/Scheduled
03/08/05 (H) STA AT 8:00 AM CAPITOL 106

WITNESS REGISTER

TERRY HARVEY, Staff
to Representative Bruce Weyhrauch
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HJR 8 on behalf of the sponsor,
Representative Weyhrauch.

KATRINA PILLOW, Major
Board of Directors
Alaska Army National Guard Officers Association
Eagle River, Alaska

POSITION STATEMENT: Testified in support of HJR 8.

REPRESENTATIVE DAVID GUTTENBERG
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 83 as sponsor.

ROD COMBELLICK, Associate Director
Division of Geological and Geophysical Surveys
Department of National Resources (DNR)
Fairbanks, Alaska
POSITION STATEMENT: Testified in support of HB 83.

ROGER HANSEN, State Seismologist
Research Professor
University of Alaska
Fairbanks, Alaska
POSITION STATEMENT: Testified in support of HB 83.

REPRESENTATIVE BILL THOMAS
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Presented, as sponsor, HB 144.

JON BOLLING, Administrator
City of Craig
Craig, Alaska
POSITION STATEMENT: Testified in favor of HB 144.

JACK SHAY, Assembly, Ketchikan Gateway Borough;
Past president, Alaska Municipal League
Ketchikan, Alaska
POSITION STATEMENT: Testified in support of HB 144.

TOM BOEDEKER, Manager, City of Soldotna;
Legislative Committee Chair, Alaska Municipal League (AML)
Soldotna, Alaska
POSITION STATEMENT: Testified during the hearing on HB 144.

KEVIN RITCHIE
Alaska Municipal League (AML)
Juneau, Alaska
POSITION STATEMENT: Testified on behalf of AML and answered
questions during the hearing on HB 144.

LAURA GLAISER, Director
Division of Elections
Office of the Lieutenant Governor
Juneau, Alaska
POSITION STATEMENT: Answered questions during the hearing on HB
144.

ACTION NARRATIVE

CHAIR PAUL SEATON called the House State Affairs Standing Committee meeting to order at [8:03:31 AM](#). Present at the call to order were Representatives Elkins, Gardner, Gruenberg, and Seaton. Representatives Lynn, Gatto, and Ramras arrived as the meeting was in progress.

HJR 8-SUPPORTING ALASKA ARMY NATL. GUARD

CHAIR SEATON announced that the first order of business was HOUSE JOINT RESOLUTION NO. 8, Expressing support of Alaska Army National Guard soldiers deployed worldwide.

[8:04:24 AM](#)

TERRY HARVEY, Staff to Representative Bruce Weyhrauch, Alaska State Legislature, introduced HJR 8 on behalf of Representative Weyhrauch, sponsor. He explained that HJR 8 is the legislature's official record of support for the fine men and women actively deployed with the Alaska Army National Guard. He stated that [the sponsor] doesn't want everyone to take for granted the sacrifices these individuals are making. The proposed legislation would recognize the troops that have been overseas and have returned, as well as those who are still overseas. Furthermore, [the sponsor] wants to recognize the difficulties experienced by the families of those in the Alaska Army National Guard as well.

CHAIR SEATON said he believes he can speak for the entire committee when relating support to all the National Guard branches that do such fine work.

[8:07:05 AM](#)

KATRINA PILLOW, Major, Board of Directors, Alaska Army National Guard Officers Association, related support for HJR 8.

[8:08:12 AM](#)

REPRESENTATIVE GARDNER applauded HJR 8 and noted that she is a co-sponsor. She asked if the resolution should be broadened to include the other National Guard branches in Alaska besides the army.

[8:08:33 AM](#)

MR. HARVEY confirmed that there is also the Air National Guard. Due to the differences in deployment and the separation of the entities, this resolution supports the Alaska Army National Guard. He mentioned that Representative Gruenberg, during a House Special Committee on Military and Veterans' Affairs meeting, discussed the possibility of crafting a similar resolution for the Air National Guard.

[8:09:23 AM](#)

REPRESENTATIVE GRUENBERG asked if Representative Weyhrauch planned to introduce such a resolution.

MR. HARVEY answered that at this stage he believes the sponsor will work with the House Special Committee on Military and Veterans' Affairs to craft legislation.

[8:09:57 AM](#)

CHAIR SEATON closed public testimony.

[8:10:05 AM](#)

REPRESENTATIVE ELKINS moved to report HJR 8 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HJR 8 was reported out of the House State Affairs Standing Committee.

[8:10:35 AM](#)

HB 83-SEISMIC HAZARDS SAFETY COMMISSION

[8:10:47 AM](#)

CHAIR SEATON announced that the next order of business was HOUSE BILL NO. 83 "An Act relating to the Alaska Seismic Hazards Safety Commission."

[8:11:05 AM](#)

REPRESENTATIVE DAVID GUTTENBERG, Alaska State Legislature, testifying at the request of co-sponsor Representative Gabrielle LeDoux, noted that HB 83 and HB 84 were combined into HB 83. He said the bill would extend the sunset date on the Alaska Seismic Hazard Safety Commission and add tsunami hazards to the commission's purview. The commission is due to expire, and [the Legislative Budget and Audit Committee] recommends it be allowed

to expire because there has been no action on it, he said; however, [the commission] is critical to the safety and well being of Alaska. He stated that, currently, nobody in the state is working on ways to mitigate damages caused by earthquakes or tsunamis or recommending related building standards and codes to minimize damage in the event of such disasters. The commission's sole authority is to make recommendations. He indicated that the insurance industry is supportive of [HB 83].

[8:13:59 AM](#)

REPRESENTATIVE GUTTENBERG said HB 83 seeks to prevent the loss of lives.

[8:15:11 AM](#)

REPRESENTATIVE GATTO remarked that there are "essential building" standards; schools and fire department buildings are built to withstand earthquakes. He offered further details.

[8:16:09 AM](#)

REPRESENTATIVE GUTTENBERG responded that there are national standards, but they are applied indiscriminately to the entire state as if it were one zone. He said the state needs to delineate high-risk areas and decide where and what standards are needed.

[8:17:32 AM](#)

REPRESENTATIVE GATTO asked if Representative Guttenberg was saying the state should name specific dangers and the zones that they occupy.

[8:18:27 AM](#)

REPRESENTATIVE GUTTENBERG indicated the intent is to allow the commission to have the opportunity to decide the needs of the state regarding earthquakes and tsunamis.

[8:19:27 AM](#)

ROD COMBELLICK, Associate Director, Division of Geological and Geophysical Surveys, Department of Natural Resources (DNR), stated the department's support of HJR 8. He said that hazards vary around the state "from the highest earthquake exposure in

the nation along the southern margin of the state, to virtually no hazard up in the far northwestern corners of the state."

[8:21:37 AM](#)

MR. COMBELLICK said there are efforts around the state, but no real coordination, or standards. Local government participation on the commission should be effective, he added. Other states show that the efforts of these types of commissions have been very effective in reducing casualties.

[8:23:26 AM](#)

MR. COMBELLICK said it is easy to become complacent because of the rarity of these types of events, but that people are then surprised and not prepared when the next event occurs. An executive order transferred this commission to DNR, and there is already money set aside for the commission. "This is a modest investment now that will certainly reap major benefits in terms of money and lives saved in the future," he concluded.

[8:24:22 AM](#)

CHAIR SEATON asked if HB 83 will impose building codes and inspections or simply make recommendations.

[8:25:03 AM](#)

MR. COMBELLICK stated that the commission is strictly advisory, and recommendations may end up as building codes in the future. A big part of [the commission's] job will be public education and coordination around state.

[8:25:51 AM](#)

CHAIR SEATON asked if codes would only be adopted by local government.

[8:26:14 AM](#)

MR. COMBELLICK said yes, as he understands it. Some local jurisdictions have seismic codes now, and this commission would not change the process, it would only make recommendations.

[8:27:33 AM](#)

REPRESENTATIVE GARDNER asked if the addition of two members to the commission requires a change in its quorum.

[8:28:48 AM](#)

REPRESENTATIVE GRUENBERG noted that AS 44.37.065 (e) specifies that "six members constitute a quorum" for the nine-member commission.

[8:29:27 AM](#)

REPRESENTATIVE GUTTENBERG said keeping it at six is fine because the commission has no real authority, and that makes it a simple majority with an eleven-member commission.

[8:29:46 AM](#)

ROGER HANSEN, State Seismologist and Research Professor, University of Alaska, Fairbanks, testified in support of HB 83. He said his group does a lot of work to understand earthquakes and tsunamis, and it develops many maps. A committee to investigate mitigation and land use is good, he said.

[8:31:28 AM](#)

REPRESENTATIVE GATTO asked how often the committee meets, and if there is money for travel, per diem, or conferencing.

[8:32:04 AM](#)

REPRESENTATIVE GUTTENBERG said that most commission members are public employees, and their role is built into their jobs. In terms of the member from the insurance industry, he or she can teleconference.

[8:32:46 AM](#)

CHAIR SEATON closed public testimony.

[8:33:07 AM](#)

REPRESENTATIVE GRUENBERG moved to report CSHB 83(MLV) out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 83(MLV) was reported out of the House State Affairs Standing Committee.

HB 144-ADVISORY VOTE ON COMMUNITY DIVIDEND

8:34:00 AM

CHAIR SEATON announced that the next order of business was HOUSE BILL NO. 144 "An Act authorizing an advisory vote on whether income of the Alaska permanent fund in the earnings reserve account should be used for a community dividend program."

REPRESENTATIVE BILL THOMAS, Alaska State Legislature, as sponsor of HB 144, stated that the bill asks for an advisory vote to decide whether the legislature should appropriate \$150 million, adjusted for inflation annually, from the income of the Alaska Permanent Fund for a community dividend program. Representative Thomas said municipalities are in dire straits; the state ended a municipal dividend program years ago, which created significant problems for the local communities. He added that the legislature is under-funding many things important to local communities, such as senior citizen tax exemptions and boat harbors. He stated that it is the intent of the legislation to provide a local tax relief for the residents, either by lowering the mill rate on local property tax, or through a sales tax.

8:36:56 AM

REPRESENTATIVE THOMAS said the plan has hardly any effect on the permanent fund dividend (PFD). He stated his understanding of the projections is that it will be 10 years before an impact will be seen, and then it will be approximately "\$50-\$70." He said, "This will use a small amount of the projected balance of the permanent fund earnings reserve accounts." He said he chose to use a fixed rate so that it would not be as confusing to the people of Alaska when they vote.

8:37:30 AM

REPRESENTATIVE GARDNER directed attention to the sponsor statement, which says each municipality would receive a \$50,000 minimum base grant, and each unincorporated municipality in the unorganized borough would receive \$25,000. She asked, "Does that really encompass all of Alaska?"

8:38:01 AM

REPRESENTATIVE THOMAS offered his understanding that the answer is yes. He revealed that it's the format as was used under "the old revenue sharing program." In response to a request for clarification from Chair Seaton, he said, "The amounts are

different, but it's the same formula in distribution that's been used before."

[8:38:36 AM](#)

REPRESENTATIVE GATTO noted that a lot of communities would get \$25,000. He said a community with only two families in it would receive that money, even though they don't maintain the roads and may not even have a school. He said he sees an inherent overextension in giving just a few families the money, and questioned "what we would be wanting them to do with this money."

[8:39:53 AM](#)

REPRESENTATIVE THOMAS indicated that the smallest community he saw listed had a population of 69. Regarding the reason for including the unorganized municipalities, he said, "I feel that this is earnings of oil wealth that was ... put into the permanent fund." He added, "They get equal treatment through the PFDs ..., so we didn't want to stray too far from everybody participating and being eligible to share in this program."

[8:40:30 AM](#)

REPRESENTATIVE GATTO stated concern that some of the population listed may not be correct, which would affect "how we allocate the multipliers."

[8:41:22 AM](#)

REPRESENTATIVE THOMAS said the population calculation is done by a state demographer in the Department of Commerce. Some of the indications used include: the [PFD] applications, federal tax filings, and birth and death statistics and surveys. He pointed out that the bill is going to the people for an advisory vote. If they vote yes, the legislature will meet back to draw the guidelines as to "how it's administrated." He mentioned a potential amendment.

[8:42:19 AM](#)

CHAIR SEATON offered his understanding that "this is not set up so that this goes with a certain year-based population; this would be adjusted every year."

[8:42:48 AM](#)

REPRESENTATIVE THOMAS answered affirmatively.

[8:42:54 AM](#)

REPRESENTATIVE LYNN stated that people are concerned about losing any portion of the PFD. He asked Representative Thomas to reiterate for the record how much would be taken out of the PFD in the first ten years of the program.

[8:43:48 AM](#)

REPRESENTATIVE THOMAS restated his understanding that there will be no impact on the PFD for 10 years, and after those 10 years "it will be about \$70." He continued, "In the mean time, if you were to take this \$150 million and go backwards, I believe it's around \$200-\$300 potential impact to them at the local level, if it's used to relieve them of property tax or a sales tax of some sort."

[8:44:41 AM](#)

REPRESENTATIVE GRUENBERG said he can't find a definition for "community" anywhere in the Alaska code, and he noted that he does not see a definition in the bill.

[8:45:25 AM](#)

REPRESENTATIVE THOMAS said he is trying to ensure that everybody who is entitled to a dividend gets one, whether they are an organized or unorganized municipality. He said, "I think they all should share in the wealth of the State of Alaska, and that's why we're going this way." He told Representative Gruenberg that he would get a definition for "community".

[8:46:04 AM](#)

REPRESENTATIVE GRUENBERG recalled that at the time of the "Claims Act" people reestablished longstanding communities so that they could participate, and, as a result, a number of communities were reformed. He said this is not based on longstanding tradition, but he could see smart people in the Bush getting together to make some money.

[8:46:52 AM](#)

REPRESENTATIVE THOMAS said hopefully the department that would administrate the program would be shrewd enough to figure that out. He noted that there will probably be new municipalities sprouting up around new gas or oil developments if there are none there already.

[8:47:05 AM](#)

REPRESENTATIVE GRUENBERG said people would basically be voting on a distribution from the permanent fund; therefore, he recommended that "a term like that" should be defined in the bill itself so people know what they are voting on, and so future legislatures would have some guidance.

[8:47:58 AM](#)

REPRESENTATIVE THOMAS stated his understanding that if the advisory vote is passed, the legislature would decide how to administrate the program.

[8:48:26 AM](#)

CHAIR SEATON questioned specifying \$150 million and suggested that perhaps it should read "up to \$150,000,000" so that people do not have an expectation that it be that amount.

[8:49:36 AM](#)

REPRESENTATIVE THOMAS stated his understanding that if the money is not available, then it will not be possible to appropriate it. He said, "If there are no earnings, there is no money to give." He said the municipalities would have to be very careful that they don't spend what might be called a windfall, without consideration.

[8:50:21 AM](#)

CHAIR SEATON asked the sponsor to consider changing the language to "up to \$150,000,000".

[8:51:10 AM](#)

CHAIR SEATON directed attention to the language on page 1, line 13, which read, "adjusted to inflation". He stated his concern that the voters could have expectations based upon a certain inflation rate.

[8:51:41 AM](#)

REPRESENTATIVE THOMAS indicated that although he could live without that language, he thinks it would be better left in. He said, "If we don't inflation-proof this, taxes will definitely go back up on the rise and ... hurt the people we're trying to help now."

[8:52:50 AM](#)

CHAIR SEATON clarified, "We're not ... inflation-proofing the PFD, we're just inflation-proofing the principle of the dividend."

[8:53:12 AM](#)

REPRESENTATIVE THOMAS responded that Chair Seaton's comment is a good one. He said between now and the next time [the bill is heard] "we'll probably have people telling us where we should be going."

[8:53:24 AM](#)

REPRESENTATIVE GATTO noted that, currently, the amount given out as the PFD is equal for everyone. He observed, "This dividend would be an unequal amount, even though it's using the same permanent fund dividend and permanent fund ... that we started with." He said that is an issue of inequality.

[8:54:19 AM](#)

REPRESENTATIVE THOMAS noted that "the old municipal aide grant" was unequal. He said, "All wealth comes from oil right now, and I believe everyone in Alaska should have an equal ... share of that." He reiterated that he is trying to help out the municipalities.

[8:54:54 AM](#)

CHAIR SEATON said the committee should be prepared to talk about municipalities and nonmunicipalities. He said what is being discussed is the issue that it would not be necessary to be a municipality or subdivision of the state to qualify for the community dividend. Chair Seaton said people will want to talk about that.

[8:55:40 AM](#)

JON BOLLING, Administrator, City of Craig, testified in favor of HB 144. He said the bill would essentially recreate the no-longer-existing revenue sharing, municipal assistance program, using funds from the earnings reserve account. He said the proposed legislation would not negatively affect PFDs for approximately 10 years. He opined that cities across the state would be grateful to the legislature; the community of Craig has responded to reduced sales and property taxes by eliminating full-time staff by about 10 percent over the last 24 months due to lagging revenues, particularly due to reductions in property tax receipts. Creating a community dividend program would be an enormous financial help. He highlighted that the bill would provide for a statewide vote in the matter, allowing the public to ultimately decide on the merits of "this important program."

[8:57:34 AM](#)

MR. BOLLING, in response to a question from Representative Gatto, stated his belief that the current population of the City of Craig, according to the Department of Commerce is 1,127.

[8:58:02 AM](#)

MR. BOLLING, in response to a question from Representative Ramras, listed all the positions that the City of Craig eliminated to adjust to its loss of revenue. He noted that the alternative is raising taxes, but at this point, the city council would rather attempt to [cut back] personnel, which will mean some reduction in services. In response to a question from Chair Seaton, Mr. Bolling reported that the City of Craig currently has four police officers.

[8:59:06 AM](#)

JACK SHAY, Assembly, Ketchikan Gateway Borough; past president, Alaska Municipal League, testified as follows:

We are extremely in favor of sending this advisory vote to the people, especially when they can understand what the impact on their local tax situation is going to be. What this bill does, essentially, is replace some of the former municipal aide programs which have already been alluded to. As a matter of fact, here, in our Borough and City of Ketchikan, 18[-plus] years ago ... we received somewhat over \$4 million in state aide. And this is

not unusual; this is afforded to every municipality in virtually every state in the Union. A little over \$4 million, which today would be around \$6 million.

MR. SHAY explained that the proposed legislation, if passed after the advisory vote, would restore about half of what Ketchikan has lost over the last 18-19 years. He noted that the borough dropped from over \$4 million to just a few hundred thousand "this last year." He echoed the statements of Mr. Bolling that "this has put a real crunch on our local governments." Mr. Shay said the borough has received a cut of over 90 percent in state aide. The bill would afford local tax relief.

[9:01:15 AM](#)

MR. SHAY continued:

You need to understand that the permanent fund ... is taxed by the federal government. If this legislation comes to fruition and this dividend program is adopted, it means the local tax payer will not pay one cent - or a local tax relief which would be in the realms of hundreds of dollars annually - ... until the year 2010, and then there would be a ... reduction of approximately \$10, ... growing until the year 2015. And then it would be about \$50 at that point. In other words, during ... the next ... 10 years or so, for a cost of approximately \$170 dollars, the local tax payer would get a relief of over \$2,000 in ... less taxes. So, this is an important factor to consider.

MR. SHAY said if people realize that they will save money both in federal and local taxes, it should make [the program] much more palatable. He stated, "When it comes to ... the communities [that] might scheme to get this money, or who otherwise would artfully maneuver the procedure, well that wasn't apparent in the old formulas and in the old distribution of the state monies for municipal aide and safe communities, and so forth." He admitted that it might be "a hard sell" to convince people that the plan will not cost a tremendous amount from their dividends. Notwithstanding that, for all the previously stated reasons, he said [HB 144] is excellent legislation and should be moved out of the committee.

[9:03:09 AM](#)

MR. SHAY, in response to a question from Representative Gatto, reported that - according to the statistics from the Permanent Fund Corporation based on [reports from] the Department of Community Economic Development - the population of the City of Ketchikan is 7,691, while the population of the Ketchikan Gateway Borough is 4,948, which totals 12,639. He added, "I think we're a little more than that, but those are the figures that are currently in place." He noted that the area has lost numbers since its pump mill shut down, but "we're working hard to replace them."

[9:03:39 AM](#)

TOM BOEDEKER, Manager, City of Soldotna; Legislative Committee Chair, Alaska Municipal League (AML), stated his general support of HB 144. He explained he thinks it's important to find a balance between providing enough details for advisory votes, but not to the point where voters feel locked in by a certain feature. He suggested that many people might support the program if the inflation-proofing language did not exist. He posited that voters may think there is too much detail in specifying the annual appropriation of \$150,000,000, because that sounds like a fixed amount. He remarked that the public often doesn't recognize the discretion of the legislature to appropriate lesser amounts and the existing language may look like a mandate "to do \$150,000,000." He expressed concern that people might react to that, rather than looking at the overall concept and its appropriateness in the context of funding local government.

[9:05:49 AM](#)

KEVIN RITCHIE, Alaska Municipal League (AML), testifying on behalf of AML, noted that there is a letter from AML in the committee packet. In response to Representative Gatto's previous attention to the populations in various municipalities, Mr. Ritchie proffered, "I think if you add up Matanuska-Susitna (Mat-Su) Borough, plus Palmer, plus Wasilla, plus Houston, that will probably be the total you're looking for. So, I think what they did was they took out some of the population from Mat-Su, so you don't double [count]."

MR. RITCHIE noted that several years ago there was a tax cap campaign that would have disallowed any municipality in the state from charging, basically, over 10 mills of property tax to support schools, and so on. When that effort started, the polls

showed that approximately two-thirds of the people thought limiting taxes was a good idea. He said AML was instrumental in getting together a coalition across the state comprised of schools, chambers of commerce, and business organizations that saw the downside of municipal governments not being able to raise money necessary to run their operations. He said the vote ended with three out of four Alaskans saying it is not a good idea to make that limit, because they wanted the freedom to be able to provide the kinds of services needed in their communities.

[9:07:33 AM](#)

MR. RITCHIE indicated that the municipalities are the governments closest to the people and he thinks that there is a great opportunity for local government discussion and decisions made on the kind of taxes and services needed in each community. He mentioned the loss of police officers in the City of Craig, and he said there are a number of cities throughout the state that have no public safety whatsoever, unless a trooper can get there at some point. He revealed that there are currently at least 10 cities with no insurance coverage whatsoever, because they do not have the local revenue to pay for it. He said that liability affects everybody in the state.

[9:09:01 AM](#)

MR. RITCHIE said the community dividend is approximately 4 mills of property tax relief across the board, for every community in the state, and puts money into local government. That money could be used in a variety of ways, including: local contributions to schools, rebuilding the police force, or straight tax relief. There is no cost until 2010, at which point, according to calculations, the cost will be far less than the tax relief that will be received every year. Mr. Ritchie said, "We think that conversation is worth having with the public."

MR. RITCHIE echoed the previous testimony of Mr. Shay and pointed out that the money people give to pay their local taxes has already been taxed by the federal government. Even the PFD Alaskans earn is taxed. Mr. Ritchie estimated people pay 20-30 percent of what they earn in taxes. In contrast, he noted, "by providing direct tax relief to communities through this process, none of that money is taxed." Mr. Ritchie offered further details.

[9:10:47 AM](#)

MR. RITCHIE said [AML] needs time to talk to municipalities, school districts, and other organizations to see if they want to "buy on." He repeated the sentiments of Mr. Boedeker that getting the specifics down is important for the public. In order to get people in a coalition to support the program, [AML] needs assurance that the program will actually happen approximately as stated. He expressed his hope that legislators "would either be neutral or supportive of this when it becomes a discussion item before the public." He said the question to ask before final adoption is, "Can we get the quality of support behind this that's going to really create a good conversation with the public?"

[9:12:11 AM](#)

CHAIR SEATON stated concern that there are two issues: municipal revenue sharing, which is to subdivisions of the state; and community revenue sharing, which "is much more broad." He said he doesn't know if that's a discussion that AML can have, but he said the committee would have it and AML's input would be helpful. He stated his intent to ask the Department of Commerce, Community, & Economic Development (DCCED) to give its input regarding the distribution to nongovernmental communities.

[9:13:19 AM](#)

REPRESENTATIVE GATTO asked if there is a working definition of "community".

[9:13:32 AM](#)

MR. RITCHIE said there is a current definition "in the old revenue sharing" of what a community is and that definition "could get transferred over." He said he thinks the question asked by Chair Seaton is, "How do we provide services to unorganized parts of the state, and how do we do it equitably?" He said small towns try hard; most of them have a sales tax, but can't have a property tax because they don't have enough taxable property to make that effort worthwhile. He said some base of support is necessary to buy insurance and to have a modicum of public safety. He said, "Some base of funding is required. If not through this type of program, you basically will have virtually no services in the unorganized borough - people will

get nothing - which is a problem for a small community." He offered an example.

9:15:32 AM

CHAIR SEATON reiterated the need for the committee to consider governmental agencies and nongovernmental agencies. He said that the committee would not take action on HB 144 today.

9:16:09 AM

REPRESENTATIVE RAMRAS asked how much money would result from keeping the \$150 million in the fund and allowing it to appreciate with compound interest over 10 years.

9:17:15 AM

CHAIR SEATON said he would like the Permanent Fund Division to address that later.

9:17:30 AM

REPRESENTATIVE GARDNER noted that according to the "Municipal Officials Directory," the City of Anvik has a population of 108, no sales tax, property tax, or special taxes, and yet there are 11 city employees listed. She asked, "So, how would a community like that -- how did this happen?"

9:18:05 AM

MR. RITCHIE reiterated that there is not much commerce going on in the small communities and literally no ability to have a property tax because of all the Native allotment land, federal land, and small houses. There may be some ability for sales tax if there happens to be a store in the town. He explained as follows:

What normally happens is, they get a small amount of money from the federal government, called a 'payment in lieu of taxes,' and when there's federal land - I mean the federal land that the federal government does not pay property taxes on - they provide about a \$15 million payment that's spread throughout the boroughs, and then the organized cities within the unorganized borough. [It's] not a lot of money, but I'm guessing that what happens in these small towns is: Because they have so little commerce, the money that they get

to support their services comes from washeteria fees, utility fees, Bingo, and some other creative ways of raising money if you're tax base is very, very low.

[9:20:16 AM](#)

MR. RITCHIE, in response to a question from Representative Gruenberg, said the definition for community is in Title 29, under municipal programs. He said he would get that information to the committee directly after the meeting.

[9:20:34 AM](#)

REPRESENTATIVE GATTO commented, "There's always a school, and so as far as jobs are concerned, there's bound to be a few employees that are paid because of the money that follows the students."

[9:20:42 AM](#)

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

Page 2, Line 4, after "community" delete period; add comma, then phrase "except that no less than 50% of such community dividend shall be used to lower residential property taxes."

[9:21:21 AM](#)

CHAIR SEATON objected.

[9:21:27 AM](#)

REPRESENTATIVE LYNN stated that at the top of people's list of concerns is that regarding property tax; therefore, he said he thinks Amendment 1 is necessary to provide property tax relief, and would help sell the idea of the advisory vote to voters.

[9:22:59 AM](#)

CHAIR SEATON noted that there are a number of communities that don't have personal property tax and, in those cases, he doesn't know if they would not get the dividend. He said the committee would consider [Amendment 1] and bring it up at the next hearing.

REPRESENTATIVE LYNN noted that he was going to add "or to relieve sales taxes"; however, Representative Thomas suggested just leaving it at property taxes.

CHAIR SEATON announced that HB 144 [was heard and held].

HB 94-ELECTIONS

CHAIR SEATON announced that the last order of business was HOUSE BILL NO. 94, "An Act relating to qualifications of voters, requirements and procedures regarding independent candidates for President and Vice-President of the United States, voter registration and voter registration records, voter registration through a power of attorney, voter registration using scanned documents, voter residence, precinct boundary and polling place designation and modification, recognized political parties, voters unaffiliated with a political party, early voting, absentee voting, application for absentee ballots through a power of attorney, or by scanned documents, ballot design, ballot counting, voting by mail, voting machines, vote tally systems, initiative, referendum, recall, and definitions in the Alaska Election Code; relating to incorporation elections; and providing for an effective date."

The committee took an at-ease from [9:23:32 AM](#) to [9:28:44 AM](#).

[9:29:21 AM](#)

REPRESENTATIVE LYNN moved to adopt the committee substitute (CS) for HB 94, Version 24-GH1048\Y, Kurtz, 2/28/05, as a work draft.

[9:30:10 AM](#)

REPRESENTATIVE GRUENBERG objected.

[9:30:18 AM](#)

LAURA GLAISER, Director, Division of Elections, Office of the Lieutenant Governor, in response to a request from Representative Gruenberg, walked through Version Y and told the committee where previously discussed amendments were incorporated.

[9:32:03 AM](#)

REPRESENTATIVE GRUENBERG removed his objection to Version Y; therefore, Version Y was before the committee.

9:32:33 AM

REPRESENTATIVE GRUENBERG moved to adopt Amendment 1, labeled 24-GH1048\F.7, Kurtz, 2/16/05, which read as follows:

Page 9, line 1, following "2002).":

Insert "The director may only approve a voting machine or vote tally system if the machine or system satisfies the requirements of AS 15.15.032(c)."

9:33:24 AM

CHAIR SEATON objected for discussion purposes.

9:33:33 AM

REPRESENTATIVE GRUENBERG said Amendment 1 would track a law passed last year, which requires the director [of the Division of Elections] to provide a paper record for each electronically generated ballot. He stated his understanding that "the department has no objections."

9:34:59 AM

MS. GLAISER noted that current law does say that the current director shall provide for a paper record of each electronically generated ballot; therefore, she said she doesn't know whether Amendment 1 is duplicative.

9:35:37 AM

CHAIR SEATON clarified that the only thing [Amendment 1] would do is say that a voting machine could not be approved without a [paper] ballot.

9:36:17 AM

MS. GLAISER, in response to a question from Representative Gatto regarding whether a touch screen [voting machine] generates a paper ballot, explained that the current version of the machine owned by the state does not have an attachment that provides a "voter verified paper receipt." She said there is a machine currently in development that is being tested and will have a paper receipt. She clarified, "It's not a ballot."

9:36:38 AM

CHAIR SEATON said it would provide for the possibility of a non-electronic recount.

[9:36:53 AM](#)

CHAIR SEATON removed his objection to Amendment 1. There being no further objection, Amendment 1 was adopted.

[9:37:08 AM](#)

REPRESENTATIVE GRUENBERG moved to adopt Amendment 2, labeled F.4, which read as follows:

Page 6, following line 5:

Insert a new bill section to read:

"* **Sec. 9.** AS 15.15.032 is amended by adding a new subsection to read:

(d) If the director provides for voting by use of electronically generated ballots, the director shall provide ballots in English, and may provide ballots in one or more languages other than English."

Renumber the following bill sections accordingly.

Page 21, line 6:

Delete "secs. 20 - 43"

Insert "secs. 21 - 44"

[9:37:47 AM](#)

CHAIR SEATON objected for discussion purposes.

[9:37:59 AM](#)

REPRESENTATIVE GRUENBERG said Amendment 2 "will help get out the vote to a lot of people in the state."

[9:38:23 AM](#)

CHAIR SEATON offered his understanding that it would not be a requirement for a ballot to be provided in many different languages.

[9:38:29 AM](#)

MS. GLAISER answered that's correct. She said the language is "may", thus the director may provide alternative ballot languages. She reported that the division is currently required by federal law to translate [ballots] into Tagalog for the precincts in Kodiak. She said, "Right now we would attach no fiscal note because it says "may", but should ... we have to do that, there would be a fiscal note, because we're going to have to hire translators and the program needs to be set. She said if the ballot is done in audio for Yupik, for example, the ballot would still appear before the person in English, because there is written language.

[9:39:36 AM](#)

CHAIR SEATON asked, "Do you see this in anyway diminishing your capacity to do that in audio?"

[9:39:57 AM](#)

MS. GLAISER answered no. In response to a follow-up question from Chair Seaton, she said the division sees no problem in having Amendment 2 in the bill. She added, "The point is that ... there will be candidates and pressure to translate into other languages, and there will be an increased cost to do that." She clarified, "We aren't currently mandated by federal law to do that. If we decide go this extra step, it will be an increased cost." She explained that the state does not have licensed translators.

[9:40:31 AM](#)

CHAIR SEATON asked if there is any difference in the division deciding to offer ballots in another language or in audio, versus "if this language is in there and somebody requests, and you decide to do it or not to do it."

[9:41:12 AM](#)

MS. GLAISER replied no. She said she feels obligated to let the committee know that there will be additional costs.

[9:41:34 AM](#)

CHAIR SEATON asked Ms. Glaiser if she thinks there may be a legal consequence to the proposed language that would make the division [feel it had to approve requests for certain languages to appear on a ballot].

[9:41:57 AM](#)

MS. GLAISER said she would have to talk to the [U.S.] Department of Justice to discern "whether it puts the state in that kind of bind or obligation." She questioned where it would end if the division were to provide a ballot in one language and many more languages surfaced for consideration. She reiterated that, under current law, the division could engage in a pilot project "to test interests." She said, "It's a policy call by the legislature if that's an investment the state wants to make in translating the ballots in other languages."

[9:42:43 AM](#)

REPRESENTATIVE GATTO said this sounds like the law of unintended consequences. He said he heard there are up to 90 different dialects in the Anchorage school district alone, and there is no way that the division could cover that many languages. He stated, "This scares me." He added, "And I know it only says 'may', but I'm always suspicious of maybe someone requiring it later." He stated his discomfort with Amendment 2.

[9:43:45 AM](#)

REPRESENTATIVE GARDNER asked what the threshold would be and how people would "request it." She asked why just Tagalog is required.

[9:44:17 AM](#)

MS. GLAISER responded that the federal law has a standard based on the population of a community. She noted the languages required in California. She said the numbers are derived from the U.S. Census. She said the division is required to translate not only the ballots, but also all of the voting posters. She said, "They actually came in and monitored the division this year to see that our training was complete [and] that our poll workers could explain ... how to get help." No one else in the state has reached the federally mandated threshold to require translated ballots.

REPRESENTATIVE GARDNER indicated that she would like to see the division continue to do what is required by federal law and, in addition, offer the audio portion of ballots to those indigenous Alaskan languages that are not written.

[9:46:35 AM](#)

MS. GLAISER responded, "We can still can do that. This was just further clarification." She said the lieutenant governor has discussed the idea of a pilot project to be done in one of the Alaska Native languages.

[9:47:14 AM](#)

CHAIR SEATON asked Ms. Glaiser to get a legal opinion as to whether there would be any ramifications of passing Amendment 2.

[9:47:59 AM](#)

CHAIR SEATON said he would like to hold Amendment 2 for that legal opinion. However, he observed that enough of the committee members indicated a readiness to vote on Amendment 2; therefore, he put Amendment 2 back before the committee.

A roll call vote was taken. Representatives Gruenberg and Gardner voted in favor of Amendment 2. Representatives Gatto, Elkins, Lynn, Ramras, and Seaton voted against it. Therefore, Amendment 2 failed by a vote of 5-2.

[9:49:42 AM](#)

REPRESENTATIVE GRUENBERG moved Am 3, labeled 24-GH1048\F.3, Kurtz, 8/3/05, which read as follows:

Page 1, line 3, following the second occurrence of "voter registration":

Insert "**and other acts relating to voting that may be done**"

Page 1, following line 11:

Insert new bill sections to read:

*** Section 1.** AS 13.26.332 is amended to read:

Sec. 13.26.332. Statutory form power of attorney. A person who wishes to designate another as attorney-in-fact or agent by a power of attorney may execute a statutory power of attorney set out in substantially the following form:

GENERAL POWER OF ATTORNEY

THE POWERS GRANTED FROM THE PRINCIPAL TO THE AGENT OR AGENTS IN THE FOLLOWING DOCUMENT ARE VERY BROAD. THEY MAY INCLUDE THE POWER TO DISPOSE, SELL, CONVEY, AND ENCUMBER YOUR REAL AND PERSONAL PROPERTY,

AND THE POWER TO MAKE YOUR HEALTH CARE DECISIONS. ACCORDINGLY, THE FOLLOWING DOCUMENT SHOULD ONLY BE USED AFTER CAREFUL CONSIDERATION. IF YOU HAVE ANY QUESTIONS ABOUT THIS DOCUMENT, YOU SHOULD SEEK COMPETENT ADVICE.

YOU MAY REVOKE THIS POWER OF ATTORNEY AT ANY TIME.

Pursuant to AS 13.26.338 - 13.26.353, I, _____ (Name of principal), of _____ (Address of principal), do hereby appoint _____ (Name and address of agent or agents), my attorney(s)-in-fact to act as I have checked below in my name, place, and stead in any way which I myself could do, if I were personally present, with respect to the following matters, as each of them is defined in AS 13.26.344, to the full extent that I am permitted by law to act through an agent:

THE AGENT OR AGENTS YOU HAVE APPOINTED WILL HAVE ALL THE POWERS LISTED BELOW UNLESS YOU

DRAW A LINE THROUGH A CATEGORY; AND

INITIAL THE BOX OPPOSITE THAT CATEGORY

- (A) real estate transactions ()
- (B) transactions involving tangible personal property, chattels, and goods ()
- (C) bonds, shares, and commodities transactions ()
- (D) banking transactions ()
- (E) business operating transactions ()
- (F) insurance transactions ()
- (G) estate transactions ()
- (H) gift transactions ()
- (I) claims and litigation ()
- (J) personal relationships and affairs ()
- (K) benefits from government programs and military service ()
- (L) records, reports, and statements ()
- (M) delegation ()
- (N) voting ()
- (O) all other matters, including those specified as follows: ()

IF YOU HAVE APPOINTED MORE THAN ONE AGENT, CHECK ONE OF THE FOLLOWING:

() Each agent may exercise the powers conferred separately, without the consent of any other agent.

() All agents shall exercise the powers conferred jointly, with the consent of all other agents.

TO INDICATE WHEN THIS DOCUMENT SHALL BECOME EFFECTIVE, CHECK ONE OF THE FOLLOWING:

() This document shall become effective upon the date of my signature.

() This document shall become effective upon the date of my disability and shall not otherwise be affected by my disability.

IF YOU HAVE INDICATED THAT THIS DOCUMENT SHALL BECOME EFFECTIVE ON THE DATE OF YOUR SIGNATURE, CHECK ONE OF THE FOLLOWING:

() This document shall not be affected by my subsequent disability.

() This document shall be revoked by my subsequent disability.

IF YOU HAVE INDICATED THAT THIS DOCUMENT SHALL BECOME EFFECTIVE UPON THE DATE OF YOUR SIGNATURE AND WANT TO LIMIT THE TERM OF THIS DOCUMENT, COMPLETE THE FOLLOWING:

This document shall only continue in effect for _____ () years from the date of my signature.

NOTICE OF REVOCATION OF THE POWERS
GRANTED IN THIS DOCUMENT

You may revoke one or more of the powers granted in this document. Unless otherwise provided in this document, you may revoke a specific power granted in this power of attorney by completing a special power of attorney that includes the specific power in this document that you want to revoke. Unless otherwise provided in this document, you may revoke all the powers granted in this power of attorney by completing a subsequent power of attorney.

NOTICE TO THIRD PARTIES

A third party who relies on the reasonable representations of an attorney-in-fact as to a matter relating to a power granted by a properly executed statutory power of attorney does not incur any liability to the principal or to the principal's heirs, assigns, or estate as a result of permitting the attorney-in-fact to exercise the authority granted by the power of attorney. A third party who fails to honor a properly executed statutory form power of attorney may be liable to the principal, the attorney-in-fact, the principal's heirs, assigns, or estate for

a civil penalty, plus damages, costs, and fees associated with the failure to comply with the statutory form power of attorney. If the power of attorney is one which becomes effective upon the disability of the principal, the disability of the principal is established by an affidavit, as required by law.

IN WITNESS WHEREOF, I have hereunto signed my name this ____ day of _____, ____.

Signature of Principal
Acknowledged before me at

on _____.

Signature of Officer or Notary

* **Sec. 2.** AS 13.26.344 is amended by adding a new subsection to read:

(p) In a statutory form power of attorney, the language conferring general authority with regard to voting shall be construed to mean that the principal authorizes the agent to register the principal to vote, request an absentee ballot for the principal, or perform any other act relating to voter registration or voting that a principal is specifically authorized by statute to delegate to an agent."

Page 1, line 12:
Delete "**Section 1**"
Insert "**Sec. 3**"

Renumber the following bill sections accordingly.

Page 3, line 8:
Delete "**specifically**"

Page 3, line 9, following "**voter;**":
Insert "**the division of elections shall provide a power of attorney form for this purpose on request;**"

Page 4, lines 16 - 17:
Delete "**as set out in AS 15.07.050**"

Page 7, lines 14 - 16:
Delete "**that specifically authorizes the other person to apply for an absentee ballot on behalf of the voter**"

Insert "; the division of elections shall provide a power of attorney form for this purpose on request"

Page 21, line 6:

Delete "secs. 20 - 43"

Insert "secs. 22 - 45"

[9:50:50 AM](#)

CHAIR SEATON objected to Amendment 3 for discussion purposes.

[9:50:58 AM](#)

REPRESENTATIVE GRUENBERG said the word "voting" is defined on page 4, lines 21-26 [as labeled on the amendment].

[9:51:49 AM](#)

REPRESENTATIVE GARDNER asked, "Do I understand correctly that this would allow somebody to vote for someone if they have a (indisc. -- voices overlapping)?"

[9:52:00 AM](#)

REPRESENTATIVE GRUENBERG directed attention to lines 25-26, on page 4 [as labeled on the amendment], and offered his understanding that "that would be somebody to physically do it if the person were incapacitated" He asked Ms. Glaiser if she could confirm that.

[9:52:29 AM](#)

MS. GLAISER responded that she is not an attorney. Notwithstanding that, she noted that the division does allow someone to assist a person who is incapacitated with his/her ballot. She questioned if "voting" is the right word on Page 2, line 25 [as labeled on the amendment]. She indicated she is concerned that the language does not lead someone to believe that he/she - with the power of attorney - could vote for somebody.

[9:53:14 AM](#)

REPRESENTATIVE GRUENBERG responded, "The intent there ... was to mark the ballot at the direction of the person." He offered to make an amendment to Amendment 3 to clarify that point.

[9:53:36 AM](#)

CHAIR SEATON said he thinks part of the confusion is on page 2, line 25 [as labeled on the amendment], where the word "voting" has been inserted, because that is the word that people will see. He suggested that Representative Gruenberg use a phrase such as "voting related acts". He offered further insight.

[9:54:24 AM](#)

REPRESENTATIVE GRUENBERG moved to table Amendment 3.

[9:54:46 AM](#)

CHAIR SEATON said, "Okay." He added, "I think that people agree the concept is good - the wording needs to be clarified."

[9:55:13 AM](#)

REPRESENTATIVE GRUENBERG moved Amendment 4, labeled 24-GH1048\G.3, Kurtz, 2/9/05, which read as follows:

Page 5, lines 17 - 30:

Delete all material and insert:

"* **Sec. 7.** AS 15.10.090 is repealed and reenacted to read:

Sec. 15.10.090. Notice of precinct boundary or polling place designation and modification. The director shall give full public notice if a precinct is established or abolished, if the boundaries of a precinct are designated, abolished, or modified, or if the location of a polling place is changed. Public notice must include

(1) whenever possible, sending written notice of the change to each affected registered voter in the precinct;

(2) providing notice of the change

(A) by publication three times in a local newspaper of general circulation in the precinct; or

(B) if there is not a local newspaper of general circulation in the precinct, by posting written notice in three conspicuous places as close to the precinct as possible; at least one posting location must be in the precinct;

(3) posting notice of the change on the Internet website of the division of elections; and

(4) providing notification of the change to the appropriate municipal clerks, community councils, tribal groups, presiding officers, Native villages, and village regional corporations established under 43 U.S.C. 1606 (Alaska Native Claims Settlement Act)."

[9:56:37 AM](#)

REPRESENTATIVE GRUENBERG explained that Amendment 4 tracks the work that had been done by last year's House State Affairs Standing Committee.

[9:57:08 AM](#)

MS. GLAISER said obviously the division offered language the way it wanted it; however, she added that this is the legislature's decision. She said the amendment would require a notice to be published three times, whereas the division had requested "on three different days". She asked if the proposed language of Amendment 4 would allow for three ads to be put in the same paper. She said, "I think that the way it was drafted, the intent was to communicate that on three different days you would see the same language before you." Regarding the posting of notices in 3 conspicuous places, she reiterated, "We had offered that it be 1 conspicuous place, ... because in many of the areas it's difficult to find three conspicuous places." She explained that in some of the small communities it is sufficient to post a notice on a note board that is viewed by the community. She indicated that the posting on the division's Web site has increased. She noted, "This amendment actually requires us to send a written notice directly to each voter." She questioned whether there may be a point at which the division would be over notifying. She reiterated that the division will do whatever is decided by the legislature, and she noted, "the fiscal note's approximately \$20,000 on this." She explained that that is due to increased mailing and notice costs.

[9:58:47 AM](#)

REPRESENTATIVE GRUENBERG in regard to posting 3 times, proffered that it was certainly the intent of last year's committee that it be on three different days.

[9:59:14 AM](#)

REPRESENTATIVE GRUENBERG moved an amendment to Amendment 4, on page [1], line 11 [as numbered on the amendment], after "three" to delete "times" and insert "different days".

CHAIR SEATON asked if there was any objection to the amendment to Amendment 4. There being none, it was so ordered.

9:59:47 AM

REPRESENTATIVE GRUENBERG, regarding three conspicuous places, recollected that last year's committee spoke at length on the subject and decided that there should be three places to post in every precinct. He said, "This may be slight over-notification, but people, I think, may observe something but not fully register, and they have to see it several times." He added, "And that was also the feeling, frankly, about the sending [of] written notice." He concluded that he would not offer to change that language.

10:01:03 AM

REPRESENTATIVE GARDNER asked Ms. Glaiser which part of the fiscal note is the expensive part.

10:01:20 AM

MS. GLAISER replied that the posting in the conspicuous places is not any different than current law, but the requirement to mail to every voter and to post notice 3 times in a paper would increase costs.

10:02:05 AM

CHAIR SEATON announced that Amendment 4, [as amended], would be held.

10:02:36 AM

CHAIR SEATON noted that he may open public testimony on HB 94 again at the next hearing of the bill, because he thinks it's such an important issue.

[HB 94 was heard and held.]

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at [10:03:21 AM](#).