

ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE

March 26, 2008

1:16 p.m.

MEMBERS PRESENT

Representative Jay Ramras, Chair
Representative Nancy Dahlstrom, Vice Chair
Representative John Coghill
Representative Bob Lynn
Representative Ralph Samuels
Representative Max Gruenberg
Representative Lindsey Holmes

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 355

"An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to ballot initiatives and the aggregate amounts of significant contributions or expenditures made by those persons, groups, and nongroup entities."

- MOVED CSHB 355(JUD) OUT OF COMMITTEE

HOUSE BILL NO. 420

"An Act relating to the Uniform Anatomical Gift Act, to anatomical gifts, to donations to the anatomical gift awareness fund, to a registry of anatomical gifts, and to organizations that handle the procurement, distribution, or storage of all or a part of an individual's body."

- MOVED HB 420 OUT OF COMMITTEE

HOUSE BILL NO. 368

"An Act modifying the limitations on political fund raising during legislative sessions by candidates for governor or for lieutenant governor, and amending the Legislative Ethics Act to modify the limitation on political fund raising by legislators and legislative employees during legislative sessions, to allow legislators and legislative employees to accept certain gifts from lobbyists within their immediate families, to clarify the

Legislative Ethics Act as it relates to legislative volunteers and educational trainees, to reduce the frequency of publication of summaries by the Select Committee on Legislative Ethics, to revise procedures and penalties related to the late filing of disclosures required by the Legislative Ethics Act, and to add a definition to that Act."

- MOVED CSHB 368(JUD) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 355

SHORT TITLE: DISCLOSURE OF CONTRIBUTIONS: INITIATIVES

SPONSOR(S): REPRESENTATIVE(S) JOHANSEN

02/06/08	(H)	READ THE FIRST TIME - REFERRALS
02/06/08	(H)	JUD, FIN
02/13/08	(H)	JUD AT 1:00 PM CAPITOL 120
02/13/08	(H)	Scheduled But Not Heard
02/22/08	(H)	JUD AT 1:00 PM CAPITOL 120
02/22/08	(H)	Scheduled But Not Heard
03/03/08	(H)	JUD AT 1:00 PM CAPITOL 120
03/03/08	(H)	Heard & Held
03/03/08	(H)	MINUTE(JUD)
03/17/08	(H)	JUD AT 1:00 PM CAPITOL 120
03/17/08	(H)	Scheduled But Not Heard
03/26/08	(H)	JUD AT 1:00 PM CAPITOL 120

BILL: HB 420

SHORT TITLE: ANATOMICAL GIFTS

SPONSOR(S): HEALTH, EDUCATION & SOCIAL SERVICES

03/13/08	(H)	READ THE FIRST TIME - REFERRALS
03/13/08	(H)	HES, JUD
03/18/08	(H)	HES AT 3:00 PM CAPITOL 106
03/18/08	(H)	Moved Out of Committee
03/18/08	(H)	MINUTE(HES)
03/19/08	(H)	HES RPT 5DP
03/19/08	(H)	DP: CISSNA, KELLER, GARDNER, ROSES, WILSON
03/26/08	(H)	JUD AT 1:00 PM CAPITOL 120

BILL: HB 368

SHORT TITLE: ETHICS: LEGISLATIVE & GOV/LT GOV

SPONSOR(S): STATE AFFAIRS

02/19/08	(H)	READ THE FIRST TIME - REFERRALS
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02/19/08 (H) STA, JUD, FIN
02/26/08 (H) STA AT 8:00 AM CAPITOL 106
02/26/08 (H) Moved CSHB 368(STA) Out of Committee
02/26/08 (H) MINUTE(STA)
02/27/08 (H) STA RPT CS(STA) NT 3DP 4NR
02/27/08 (H) DP: ROSES, GRUENBERG, LYNN
02/27/08 (H) NR: JOHNSON, JOHANSEN, COGHILL, DOLL
03/19/08 (H) JUD AT 1:00 PM CAPITOL 120
03/19/08 (H) Heard & Held
03/19/08 (H) MINUTE(JUD)
03/26/08 (H) JUD AT 1:00 PM CAPITOL 120

WITNESS REGISTER

SONIA CHRISTENSEN, Staff
to Representative Kyle Johansen
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented Version E of HB 355, on behalf of the sponsor, Representative Johansen.

GAIL FENUMIAI
Director
Central Office
Division of Elections
Office of the Lieutenant Governor
Juneau, Alaska

POSITION STATEMENT: Testified on HB 355.

ALPHEUS BULLARD, Attorney
Legislative Legal Counsel
Legislative Legal and Research Services
Legislative Affairs Agency (LAA)
Juneau, Alaska

POSITION STATEMENT: Answered questions on HB 355.

REBECCA ROONEY, Staff
to Representative Peggy Wilson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing on HB 420, testified on behalf of Representative Wilson, Chair of the House Health, Education and Social Services Standing Committee, sponsor.

DEBORAH BEHR
Chief Assistant Attorney General
Legislation and Regulations Section

Civil Division (Juneau)
Department of Law (DOL);
Alaska Uniform Law Commissioner
National Conference of Commissioners on Uniform State Laws
(NCCUSL)
Juneau, Alaska

POSITION STATEMENT: Answered questions on HB 420.

BRUCE ZALNERAITIS, Chief Executive Officer
Life Alaska Donor Services (Life Alaska)
Anchorage, Alaska

POSITION STATEMENT: Testified on HB 420.

KIM MAGEE
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 420.

SHERRY BADILLO MORENO, Volunteer
Life Alaska Donor Services (Life Alaska)
Wasilla, Alaska

POSITION STATEMENT: Testified in support of HB 420.

JAY BUTLER, M.D., Chief Medical Officer
Office of the Commissioner
Department of Health and Social Services (DHSS)
Anchorage, Alaska

POSITION STATEMENT: Testified on HB 420.

MIKE GERAGHTY, Attorney
Alaska Uniform Law Commissioner
National Conference of Commissioners on Uniform State Laws
(NCCUSL)
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 420.

JOYCE ANDERSON, Ethics Committee Administrator
Select Committee on Legislative Ethics
Legislative Affairs Agency (LAA)
Anchorage, Alaska

POSITION STATEMENT: Testified on HB 368.

DAN WAYNE, Attorney
Legislative Legal Counsel
Legislative Legal and Research Services
Legislative Affairs Agency (LAA)
Juneau, Alaska

POSITION STATEMENT: Answered questions on HB 368.

ACTION NARRATIVE

CHAIR JAY RAMRAS called the House Judiciary Standing Committee meeting to order at [1:16:55 PM](#). Representatives Holmes, Dahlstrom, Coghill, Samuels, Lynn, and Ramras were present at the call to order. Representative Gruenberg arrived as the meeting was in progress.

HB 355 - DISCLOSURE OF CONTRIBUTIONS: INITIATIVES

[1:17:53 PM](#)

CHAIR RAMRAS announced that the first order of business would be HOUSE BILL NO. 355, "An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to ballot initiatives and the aggregate amounts of significant contributions or expenditures made by those persons, groups, and nongroup entities."

REPRESENTATIVE DAHLSTROM made a motion to adopt the committee substitute (CS) for HB 355, Version 25-LS1263\E, Bullard, 3/20/08, as the work draft. There being no objection, Version E was before the committee.

[1:18:45 PM](#)

SONIA CHRISTENSEN, Staff to Representative Kyle Johansen, Alaska State Legislature, relayed that two changes were incorporated into Version E. The first change, to Section 3, makes the Alaska Public Offices Commission (APOC) - as opposed to the director of the Division of Elections - responsible for collecting and providing the information outlined therein. She conveyed that the APOC is the more appropriate agency because it is already set up to do what this provision outlines. The second change alters proposed AS 15.13.110(g) so as to make the deadlines consistent with other reporting requirements.

CHAIR RAMRAS offered his concern, which centers on the different treatment for disclosure by a candidate and for the ballot initiative process. He explained that when a registered voter applies for office, he/she is immediately considered a candidate unless the person withdraws or is elected. However, for reporting requirements, an initiative isn't considered an entity until the signatures are all collected and the initiative is

certified by the lieutenant governor. He asked whether that issue is addressed in Version E.

MS. CHRISTENSEN conveyed that Version E does not address his concern. She offered that the sponsor felt that it is important for the public to be made aware of expenditures of \$500 or more.

CHAIR RAMRAS offered that his intention is to move HB 355. However, he suggested that the sponsor address the initial reporting requirements for ballot proposals either in HB 355 or in future legislation should this bill not pass. He explained the process to start a ballot initiative requires a person to collect 100 signatures of registered voters and to submit a cashier's check in the amount of \$100 to the lieutenant governor to have booklets issued. He related his understanding that the ballot initiative is then in the public domain.

1:24:40 PM

GAIL FENUMIAI, Director Central Office, Division of Elections, Office of the Lieutenant Governor, explained that Representative Ramras described what the division would consider as an initiative application. She explained that once the application has passed the requirements of statute, it becomes an initiative petition. She said she was not sure if that is the point at which the ballot initiative becomes an entity. She opined that his question is one that is more of a legal nature.

REPRESENTATIVE SAMUELS offered his understanding that the question of when an initiative is an entity is more of a policy call. He further noted that if the legislature wants disclosure during the application process that the legislature can require reporting to disclose and donations or expenditures.

CHAIR RAMRAS stated that his reason for objecting to disclosure is to support free speech. He surmised Representative Samuel's concern is to require full disclosure of an initiative, including the application process.

1:27:18 PM

REPRESENTATIVE SAMUELS, in response to Chair Ramras, noted that he has several amendments pending.

The committee took an at-ease from 1:28 p.m. to 1:30 p.m.

REPRESENTATIVE SAMUELS made a motion to adopt Amendment 1, labeled 25-LS1263\E.3, Bullard, 3/26/08, which read:

Page 1, line 1, following "Act":

Insert "**prohibiting certain expenditures made in support of or in opposition to ballot initiatives; and**"

Page 1, line 11, following "that":

Insert "prohibiting expenditures originating from outside the state in support of or in opposition to ballot initiatives and"

Page 2, following line 13:

Insert new material to read:

"(c) It is the intent of the legislature that this Act ensure that monetary expenditures and contributions originating from outside the state not dictate how Alaska ballot initiatives are framed and understood.

* **Sec. 4.** AS 15.13.065(c) is amended to read:

(c) Except as provided in AS 15.13.074(j), except for reports required by AS 15.13.040 and 15.13.110, and except for the requirements of AS 15.13.050, 15.13.060, and 15.13.112 - 15.13.114, the provisions of AS 15.13.010 - 15.13.116 do not apply to limit the authority of a person to make contributions to influence the outcome of a ballot proposition. In this subsection, in addition to its meaning in AS 15.60.010, "proposition" includes an issue placed on a ballot to determine whether

(1) a constitutional convention shall be called;

(2) a debt shall be contracted;

(3) an advisory question shall be approved or rejected; or

(4) a municipality shall be incorporated.

* **Sec. 5.** AS 15.13.074 is amended by adding a new subsection to read:

(j) An individual who is a resident of another state or a group or nongroup entity organized under the laws of another state, resident in another state, or whose participants are not residents of this state may not make a contribution in support of or in opposition to an initiative.

* **Sec. 6.** AS 15.13.084 is amended by adding a new subsection to read:

(b) Notwithstanding (a) of this section, an individual who is a resident of another state or a group or nongroup entity organized under the laws of another state, resident in another state, or whose participants are not residents of this state may not make an expenditure in support of or in opposition to an initiative."

Renumber the following bill sections accordingly.

Page 2, following line 29:

Insert a new bill section to read:

"* **Sec. 9.** AS 15.13.140(b) is amended to read:

(b) An independent expenditure for or against a ballot proposition or question

(1) shall be reported in accordance with AS 15.13.040 and 15.13.100 - 15.13.110 and other requirements of this chapter; and

(2) may not be made if the expenditure is prohibited by AS 15.13.084(b) or 15.13.145 [AS 15.13.145]."

Renumber the following bill sections accordingly.

REPRESENTATIVES COGHILL and HOLMES objected.

REPRESENTATIVE SAMUELS explained that Amendment 1 would prohibit expenditures by any outside interests from weighing in on a ballot measure. He referred to memoranda in members' packets from the legal drafter. He recapped that the memoranda identify problems in barring a particular source, including a corporation from making contributions. He opined that setting limits would be more acceptable, but that requiring full disclosure has allowed some jurisdictions to accomplish the goal of limiting outside influences. He stated that the purpose of Amendment 1 is to limit funding to an organization that is formed to support or oppose a ballot initiative. He posed a scenario such that "Citizens in Favor of Ballot #3" could purchase advertisements but that the entity would not be allowed to receive funding from outside sources.

[1:33:05 PM](#)

CHAIR RAMRAS inquired as to whether it is constitutional to prohibit contributions.

REPRESENTATIVE SAMUELS offered that it might be problematic, but he said he wished to start the discussion by raising the issue. He said he realizes that it is also difficult to discern when an "entity" is considered an out-of-state entity. He offered an example of ConocoPhillips Alaska, Inc., that has offices in state and out-of-state.

CHAIR RAMRAS inquired as to whether out-of-state entities can be prohibited from contributing money for the collection of signatures for a ballot initiative.

REPRESENTATIVE SAMUELS withdrew Amendment 1.

[1:35:30 PM](#)

REPRESENTATIVE SAMUELS made a motion to adopt Amendment 2, labeled 25-LS1263\E.4, Bullard, 3/26/08, which read:

Page 1, line 1, following "Act":

Insert "**restricting contributions made in support of or in opposition to ballot initiatives; and**"

Page 1, line 11, following "that":

Insert "limiting the amount of contributions made in support of or in opposition to ballot initiatives and"

Page 2, following line 13:

Insert new material to read:

"(c) It is the intent of the legislature that this Act ensure that contributions made in support of or in opposition to ballot initiatives are restricted in the same manner as other political contributions.

* **Sec. 4.** AS 15.13.065(c) is amended to read:

(c) Except for reports required by AS 15.13.040 and 15.13.110 and except for the requirements of AS 15.13.050, 15.13.060, and 15.13.112 - 15.13.114, the provisions of AS 15.13.010 - 15.13.116 do not apply to limit the authority of a person to make contributions to influence the outcome of a ballot proposition. In this subsection, [IN ADDITION TO ITS MEANING IN AS 15.60.010,] "proposition" means a referendum, a constitutional amendment submitted at an election to the public for vote, and [INCLUDES] an issue placed on a ballot to determine whether

(1) a constitutional convention shall be called;

- (2) a debt shall be contracted;
- (3) an advisory question shall be approved or rejected; or
- (4) a municipality shall be incorporated.

* **Sec. 5.** AS 15.13.070(b) is amended to read:

(b) An individual may contribute not more than

- (1) \$500 a [PER] year to a nongroup entity for the purpose of influencing the nomination or election of a candidate, to a candidate, to an individual who conducts a write-in campaign as a candidate, or to a group that is not a political party;

- (2) \$5,000 a [PER] year to a political party; or

- (3) \$500 a year to an individual, group, or nongroup entity for the purpose of influencing an initiative.

* **Sec. 6.** AS 15.13.070(f) is amended to read:

(f) A nongroup entity may contribute not more than \$1,000 a year to another nongroup entity for the purpose of influencing an initiative or the nomination or election of a candidate, to a candidate, to an individual who conducts a write-in campaign as a candidate, to a group, or to a political party."

Renumber the following bill sections accordingly.

REPRESENTATIVE HOLMES objected.

REPRESENTATIVE SAMUELS explained that he obtained two memoranda from the Division of Legal and Research Services and each one cited different U.S. Supreme Court cases. He explained that the attorneys outline that generally restricting particular sources could be problematic. The difference between how an "individual candidate" and a "ballot measure" are treated is that the U.S. Supreme Court has found that limiting contributions to individuals avoids the appearance of corruption. However, once an idea is "debated", limiting a particular source of money is not the same as it would be for an individual candidate. Amendment 2 addresses this issue by requesting full disclosure and limits. Thus, an entity would be subject to the same limits as for candidates.

REPRESENTATIVE SAMUELS opined that the minute someone spends a dollar to garner a signature, the public has a right to know the source of the money being spent to influence a ballot initiative. He stressed that disclosure is important even

though the ballot initiative process is at the initial stage of collecting signatures.

1:37:51 PM

REPRESENTATIVE HOLMES argued, however, that an exception to the reporting requirement for \$500 contributions exists for individual campaigns such that the candidate can donate unlimited amounts to his/her own campaign. She inquired as to whether a similar exception exists for the individual who initiates a ballot initiative.

REPRESENTATIVE SAMUELS stated that the intent of Amendment 2 is to require the same limits for candidates and ballot initiatives. He surmised that the person collecting signatures and the person forwarding the "idea" should be held to the reporting requirement under the \$500 limit.

1:39:09 PM

CHAIR RAMRAS offered his understanding of the rationale behind the \$1 per signature payment for collecting signatures. He recalled the importance providing payment to people collecting signatures and while he said he did not recollect the specific reason for doing so, that the payment is currently authorized in statute. He opined that Amendment 2 would make it very difficult to finance the collection of signatures. He opined that the collection of signatures is entirely different than advocating or opposing a particular ballot initiative. He asked whether Amendment 2 would apply to both the effort to collect signatures as well as the promotion of an initiative itself.

REPRESENTATIVE SAMUELS answered that it would apply in both instances. He highlighted that if a candidate paid campaign workers to hang flyers on doors then the candidate is required to disclose the source of the expenditure, the amount paid, and the payee. Not only is he subject to disclosure as a candidate, but he also would be subject to the same disclosure in the event he withdrew his candidacy, he noted.

CHAIR RAMRAS highlighted that this amendment would affect the Fairbanks North Star Borough's (FNSB) efforts since it spent \$150,000 to collect signatures for a ballot initiative that would raise property taxes. He surmised that under Amendment 2, the FNSB would be limited to \$500 in total participation.

REPRESENTATIVE HOLMES referred to page 2, in proposed Section 5. She said she was not sure that the FNSB could actually contribute at all. She opined that her quick view of this section is that the FNSB or a corporation couldn't contribute to an individual campaign either.

[1:42:54 PM](#)

REPRESENTATIVE SAMUELS stated his intention is for a group that establishes a committee and begins a ballot initiative to submit to disclosure and report the source of donations and report its expenditures. He posed a scenario in which the FNSB begins a ballot initiative and forms a group named "People for Beautiful Flowers Coalition." If that group receives money from the FNSB, it must also disclose the source of any funds from third parties.

CHAIR RAMRAS inquired as to whether individuals can self-fund their own initiatives.

REPRESENTATIVE SAMUELS answered that he did not think they would be prohibited from doing so. He referred to page 2, subsection (g), which requires disclosure of expenditures exceeding \$500.

CHAIR RAMRAS inquired as to whether a person can self-fund a ballot initiative to place it on the ballot and once it is on the ballot, whether the person can also fund to advocate or oppose the ballot initiative.

[1:47:16 PM](#)

ALPHEUS BULLARD, Attorney, Legislative Legal Counsel, Legislative Legal and Research Services, Legislative Affairs Agency (LAA), answered that an individual could use his/her own resources to support or oppose an initiative. He pointed out that the proposed legislative intent on page 2, subsection (b), and Amendment [2] would not operate to restrict the activity. Thus, an individual could self-fund an initiative or could self-fund efforts to support or oppose an initiative. In further response to Chair Ramras, Mr. Bullard offered that if the individual was the one who collected the signatures as one of the initiative committee sponsors using his/her own funds, not contributing them to an individual, group, or non group entity, that the individual "would be in the clear."

CHAIR RAMRAS asked if a third party, such as Representative Holmes, wanted to contribute \$500 to the effort, to an initiative, since the entity is not yet established.

MR. BULLARD answered that he was not entirely sure. He said he thought that a third party, such as Representative Holmes, could contribute \$500 to the individual who is collecting the signatures, such as Mr. Ramras, even though the entity is not yet established.

CHAIR RAMRAS pointed out that current law allows for three prime sponsors to start a ballot initiative. He inquired as to whether a third party could contribute to each of the three prime sponsors.

REPRESENTATIVE HOLMES inquired as to whether she could, as a third party, contribute to all three prime sponsors at \$500 each.

MR. BULLARD answered that he thought that the third party, such as Representative Holmes as a third party, would be limited to contribute only \$500 per year to any one of the sponsors since the sponsors constitute a legislative initiative committee, which is considered a group. He offered that the easiest way to understand Amendment 2 is to realize that this amendment matches what is currently provided for candidates under election statutes under AS 15.13 and this bill would make it identical for ballot initiatives.

[1:50:01 PM](#)

REPRESENTATIVE HOLMES inquired as to whether corporations would be able to either contribute to a committee and, if not, whether corporations can fund their own commercials.

MR. BULLARD referred to page 2 of Amendment 2, in proposed AS 15.13.070(f), and explained that this subsection would limit the corporation to \$1,000 contribution.

REPRESENTATIVE HOLMES inquired as to whether a corporation is considered a non-group entity.

MR. BULLARD referred to proposed AS 15.13.070, which is also modified by proposed Section 6.

CHAIR RAMRAS inquired as to the intent of Amendment 2.

REPRESENTATIVE SAMUELS offered that his goal for both Amendment 6 and this bill is to "know where the money comes from." He said, "I want to limit the amount of money that flows into the initiative process." He further stated that the process should be transparent.

REPRESENTATIVE SAMUELS withdrew Amendment 2.

[1:53:12 PM](#)

REPRESENTATIVE SAMUELS made a motion to adopt Amendment 3 labeled 25-LS1263\E.2, Bullard, 3/25/08, which read:

Page 3, lines 12 - 18:

Delete all material and insert:

"Sec. 15.45.770. Registration and reporting. (a)

In addition to those persons required to register before making an expenditure in support of or in opposition to a ballot initiative under AS 15.13.050(a), an individual making expenditures exceeding \$500 in a calendar year in support of or in opposition to an initiative shall register with the commission.

(b) A person making expenditures in support of or in opposition to an initiative and registered under AS 15.13.050(a) and an individual registered under (a) of this section shall file reports as required by AS 15.13.040 and AS 15.13.110."

Reletter the following subsections accordingly.

REPRESENTATIVE HOLMES objected.

MS. CHRISTENSEN explained that Amendment 3 will remove redundant language from Version E.

REPRESENTATIVE SAMUELS, in response to Chair Ramras, stated that he could not imagine collecting signatures for a ballot initiative in instances in which a person is opposed to the initiative. He further stressed his desire for an open and transparent process.

[1:56:36 PM](#)

REPRESENTATIVE COGHILL noted that elected officials also have two phases to its campaign, since many candidates have primary

opponents. The primary process involves extensive reporting, as well, he opined.

REPRESENTATIVE GRUENBERG asked whether Amendment 3 is constitutional.

MR. BULLARD answered that he believes that Amendment 3 is constitutional. However, he stated that he has not written an opinion to that effect.

REPRESENTATIVE GRUENBERG inquired as to whether Amendment 3 is affected by McIntyre v. the Ohio Elections Commission, 514 U.S. 335(1995).

MR. BULLARD believe that the \$500 limit for individuals precludes any constitutional problem that McIntyre decision might raise, because McIntyre related to an anonymous person distributing leaflets about a school board election. He pointed out that ballot initiatives present a much larger situation. Distributing leaflets is a local concern, which is different than the speech associated with ballot initiatives, he opined.

REPRESENTATIVE GRUENBERG noted that Amendment 3 uses both the terms "person" and "individual." He inquired as to whether the terms should be made the same.

MR. BULLARD stated that under current statute, AS 15.13.050, persons, other than individuals - which consist of corporations, groups, and non groups - are required to report prior to making expenditures in support of or in opposition to a ballot initiative. Amendment 3 merely adds in individuals making expenditures that exceed \$500.

REPRESENTATIVE GRUENBERG inquired as to whether "individuals" is included within the definition of "persons" and if "individuals" are currently required to register.

[2:00:18 PM](#)

MR. BULLARD answered that they are not required to register. He stated that Amendment 3 reflects AS 15.13.050, which provides that a person other than an individual must register.

REPRESENTATIVE HOLMES stated that proposed subsection (a) of the bill seems to add a new requirement for individuals. She asked if this means that if a corporation or a non group entity makes independent expenditures in excess of \$500 that those entities

are not required to register under Amendment 3. She posed a scenario in which a corporation expended \$500 or more and surmised that the corporation would not need to register or report.

MR. BULLARD answered that the registration requirements already exist and he referred to AS 15.13.050, which would require Representative Holmes' hypothetical corporation to register. He stated that Amendment 3 doesn't change that requirement.

[2:02:26 PM](#)

REPRESENTATIVE HOLMES withdrew her objection.

There being no further objection, Amendment 3 was adopted.

CHAIR RAMRAS, after first determining that no one else wished to testify, closed public testimony on HB 355.

[2:02:58 PM](#)

REPRESENTATIVE DAHLSTROM moved to report the proposed CS for HB 355, Version 25-LS1263\E, Bullard, 3/20/08, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 355(JUD) was reported from the House Judiciary Standing Committee.

CHAIR RAMRAS urged the sponsor to recognize the two distinct processes addressed in the bill that protect the rights of democracy and yet still meet the rights of full disclosure.

REPRESENTATIVE SAMUELS remarked that the initiative process to obtain the necessary signatures is as important to the public and the process, as are the bumper stickers that are purchased once the initiative is authorized to be on the ballot. He offered a hypothetical example, in which ExxonMobil Corporation is working to obtain signatures for a ballot initiative. He opined that the public has a right to know if the ExxonMobil Corporation is pushing for an initiative through its funding of the signature collection process.

REPRESENTATIVE HOLMES urged the bill's sponsor to work to ensure that HB 355 does not contain a loophole that would allow corporations to spend money and avoid reporting in a way that an individual cannot.

CHAIR RAMRAS remarked that he does not like HB 355, but he said he felt that the majority of the committee wanted to see the bill moved.

[CSHB 355(JUD) was reported from committee.]

HB 420 - ANATOMICAL GIFTS

[2:05:11 PM](#)

CHAIR RAMRAS announced that the next order of business would be HOUSE BILL NO. 420, "An Act relating to the Uniform Anatomical Gift Act, to anatomical gifts, to donations to the anatomical gift awareness fund, to a registry of anatomical gifts, and to organizations that handle the procurement, distribution, or storage of all or a part of an individual's body."

[2:05:46 PM](#)

REBECCA ROONEY, Staff to Representative Peggy Wilson, Alaska State Legislature, stated on behalf of Representative Wilson, chair of the House Health, Education and Social Services Standing Committee, sponsor, that HB 420 would update the Alaska Statutes regarding organ donation. She stated that the Uniform Anatomical Gift Act (UAGA) is model legislation that serves to harmonize organ and tissue donation laws in all 50 states. The model legislation has served this function for over 40 years. Alaska statutes that govern organ donation are based on the UAGA. However, the statutes are based on the last significant update in 1997. She stated that HB 420 brings Alaska's statutes in line with the latest version, the 2008 revised UAGA. She offered that the Department of Law (DOL), the Department of Health and Social Services (DHSS), the Office of the State Medical Examiner, Life Alaska Donor Services and a representative of the National Conference of Commissioners on Uniform State Laws (NCCUSL) were involved in the development of the language and so far all are satisfied with the result. Currently, 180 Alaskans are in need of life saving transplants and await the availability of a donated organ and hundreds more await tissue transplants. The bill is a realignment of the statutes and a sectional analysis is in members' packets.

[2:08:47 PM](#)

DEBORAH BEHR, Chief, Assistant Attorney General, Legislation and Regulations Section, Civil Division (Juneau), Department of Law (DOL); Alaska Uniform Law Commissioner, National Conference of

Commissioners on Uniform State Laws (NCCUSL), explained that she is pleased to recommend the adoption of the Uniform Anatomical Gift Act (UAGA).

REPRESENTATIVE GRUENBERG related his understanding that the bill is intended to retain uniformity of the current statutes.

MS. BEHR pointed out that this bill would place Alaska in line with 20 other states that have adopted the UAGA. She noted that 16 additional legislatures have bills pending that would adopt the UAGA. It is complementary with the laws currently in Alaska.

REPRESENTATIVE GRUENBERG asked whether passing HB 420 would destroy the uniformity of the act.

MS. BEHR consulted with the national organization and this bill is consistent with what other states are doing. She stressed the importance in the uniformity of the laws with other states since an organ donor may be in one state, the recipient in another, and families residing in other states.

REPRESENTATIVE GRUENBERG referred to page 15 lines 21, in proposed AS 13.52.253, which he read: "Except as provided by 13.52.055 ...". He inquired as to whether the uniform law commissioners have considered whether this would destroy the uniform act.

MS. BEHR answered that AS 13.52.253 is a provision [having to do with health care decisions during pregnancy] that is unique to Alaska law. However, the uniform law commissioners believe that certain decisions can be reserved by the state. Thus, the decision itself does not destroy the uniformity of how organs are donated. She highlighted that the commission does not delve into the basic decisions such as pregnancy, which would be deferred to the local jurisdiction.

[2:12:25 PM](#)

REPRESENTATIVE LYNN inquired as to what percentage of gifts go to recipients that need a major organ such as a heart or kidney as opposed gifts for cosmetic or elective surgery.

BRUCE ZALNERAITIS, Chief Executive Officer, Life Alaska Donor Services (Life Alaska), offered his understanding that an organ donor would, on average, assist four or five recipients and one tissue donor assists up to 50 tissue recipients. He stated that

Alaska averages 200 donors a year, of which 25 are organ and tissue donors combined, and the remainder are tissue donors that do not donate organs. In response to Representative Lynn, Mr. Zalneraitis explained that organ donors donate a vascular organ such as a kidney, liver, heart, lungs, pancreas, or sometimes the small intestine. He stated that organs are vascular and have a blood supply at the time of donation. A tissue donor would donate such items as cornea, skin, orthopedic tissues, and vessels of the leg. Tissue donors donate tissues after the circulation has ceased for up to 24 hours following the cessation of the heart, whereas organs are donated while the heart is still beating, he stated.

[2:15:03 PM](#)

REPRESENTATIVE LYNN inquired as to whether any part of aborted fetuses is used.

MR. ZALNERAITIS answered that his organization does not engage in any research from fetuses and nothing is donated before normal birth.

REPRESENTATIVE LYNN inquired as to whether Life Alaska charges a fee for its services.

MR. ZALNERAITIS answered that the fees are charged in the same manner as donated blood, which is a fee charged to the recipient for processing. He also explained that fees are charged for tissue transplants related to the processing charges to safely acquire, preserve, and send the tissue to the recipient center. In further response to Representative Lynn, Mr. Zalneraitis confirmed that the processing fees for organ and tissue donation vary. He noted that organs have the highest acquisition fee.

[2:16:52 PM](#)

REPRESENTATIVE COGHILL offered that this issue is very dear to him since his own grandson was a donor when he died. He related that his grandson was kept alive for a day and a half in order for him to be a donor. He found the issue of donations between states created the biggest problem for his family.

MR. ZALNERAITIS stated that in the case of organ transplants a limited time exists to reestablish blood flow of the organ in the recipient. For example, a heart is viable for 6 hours, a liver is viable for 18 hours, and kidney is viable for approximately 24 to 30 hours from the interruption of blood flow

in the donor, he stated. He noted that the time is limited for Alaskan donors and that often the recipient is in the operating room when the heart will arrive at a hospital such as the University of Washington [Medical Center] in Seattle, Washington.

2:18:41 PM

REPRESENTATIVE COGHILL inquired as to whether the rules of procedure are currently "out of sync" as compared to those proposed under HB 420.

MS. BEHR stated that HB 420 will dramatically improve the donor process because it establishes procedures. She stated that a young child likely did not sign a release and the parents must do that on behalf of the child. This bill will set out a procedure to clearly inform the doctor of the family's wishes to donate the organ or tissue, she stated. She related her understanding that the UAGA has saved lives in other states.

MR. ZALNERAITIS, in response to Chair Ramras, explained that organ donors in Alaskans are sent to Seattle, which is where Alaska recipients receive most of their transplants. He stated that of the 180 waiting, approximately 120 are kidney patients awaiting transplants at Virginia Mason Medical Center, Swedish Medical Center, and University of Washington hospitals. He offered that Alaska patients sometimes receive organs from Washington, Idaho, or Montana donor. In further response to Chair Ramras, Mr. Zalneraitis stated that most Alaskans awaiting kidney donations stay in Alaska, on dialysis. However, patients awaiting a lung or heart transplant are frequently unstable patients and may be admitted to a hospital in Washington or are housed nearby awaiting the call that the donor is available. Life Alaska has about 25 donors per year, who donate approximately 100 organs to recipients.

2:22:30 PM

REPRESENTATIVE DAHLSTROM noted that she is aware of several people in her community awaiting transplants, including a 10 year old boy named Sean who has been living in Seattle with his mother and sister awaiting a heart transplant.

KIM MAGEE stated that she is a recipient of a simultaneous kidney and pancreas donations. She explained that she was a diabetic for 38 years and developed kidney disease, which resulted in kidney failure. Ms. Magee stated that she was on a

waiting list for 8 months, which is not a long time to wait for a kidney, she opined. She was residing in Alaska when she received the call that a kidney and pancreas from a Washington state donor was available. She said within a few hours of receiving the call, she was on a plane headed to Seattle. She also wished to point out that she received excellent medical care while in Alaska. Ms. Magee stated that organ donations save lives.

[2:27:25 PM](#)

SHERRY BADILLO MORENO, Volunteer, Life Alaska, stated that her 17 year old daughter died in 2003 while driving to work. She said her daughter was less than one mile from home when she lost control of her truck and hit two trees and died. She stated that her daughter was a senior at Colony High School, involved in the football program, was a nationally published poet, who spoke of the brevity of life in her poetry. She related some touching personal information about her daughter and her accomplishments. She said that her daughter lives on through her tissue donations that helped 48 people. She related that her daughter died immediately so she was not eligible as an organ donor. However, her heart valve, skin, tissue, and bone were donated to recipients. She characterized tissue donation and organ donation as the "right thing to do."

[2:33:57 PM](#)

REPRESENTATIVE GRUENBERG referred to page 13, line 16, in proposed subsection (f). He inquired as to whether a minor has a constitutional right to determine what to do with their own body.

MS. BEHR answered that when a minor applies for a driver's license, that the minor needs parental consent. As a part of that a form, the bottom of the card allows for consent to organ donation. A parent is not involved in that decision making process. However, subsection (f), is designed to allow parents to make final decisions and revoke or amend consent for instances in which a minor in the custody of his/her parents has given consent for organ donation.

REPRESENTATIVE GRUENBERG inquired as to whether that is constitutional because it seems to him that the minor has a right to determine what to do with his/her own body and that the state should provide a method to effectuate it regardless of whether the child obtains a driver's license. He opined that

this is an important constitutional question that needs to be addressed, although he offered that he did not need an immediate answer to his question. He referred to page 14 lines 5-7, in proposed subsection (i), which bans the attending physician at the death of a donor from participating in the removal of organs. He said that in many rural areas with only one doctor this may pose problems and offered that this subsection may need an Alaskan exception.

MR. ZALNERAITIS answered that when a death occurs, it is Life Alaska's responsibility to arrange transportation to those rural areas. He stated that in no circumstance would Life Alaska want or expect a physician who was involved in the care of the patient and the declaration of death to participate in the donation procedure. He stated the donation procedures would instead be carried out by Life Alaska's team and their colleagues in Seattle and that Life Alaska would arrange for the necessary transportation.

REPRESENTATIVE GRUENBERG inquired as to whether vagaries of Alaska weather and the need for quick harvesting of donor organs enters into the process such that the bill may need to be "a bit looser" to provide for medical necessity.

MR. ZALNERAITIS said that the practicality of organ donation and the reality of medical conditions to allow for organ donation would require that any patient be transferred to a hospital that has the capability to provide services to maintain the donor prior to a transplant that are not available in rural areas. He pointed out that if it was not possible to do maintain the donor's life, that the person could be a tissue donor.

2:40:14 PM

JAY BUTLER, M.D., Chief Medical Officer, Office of the Commissioner, Department of Health and Social Services (DHSS), concurred with Mr. Zalneraitis. Dr. Butler elaborated that the process of organ and tissue harvesting is highly technical and specialized. He stated that primary care physicians in rural areas do not have training or equipment to do so and he thought that it would raise questions about the standard of care and whether it could be achieved in those settings.

REPRESENTATIVE GRUENBERG offered his strong support for HB 420. He stated that he just wanted to ensure that the bill addresses Alaska's situation since Alaska is so large with few physicians. He offered his goal is to avoid having the matter come back to

the legislature in order to accommodate medical technological advances.

DR. BUTLER opined that he did not see that happening in the near future.

REPRESENTATIVE GRUENBERG characterized his comments on the minor's right to choose as an attempt to be helpful.

[2:42:00 PM](#)

MIKE GERAGHTY, Attorney, Alaska Uniform Law Commissioner, National Conference of Commissioners on Uniform State Laws (NCCUSL), explained that the original act was passed in 1968 and was enacted by all 50 states and the District of Columbia. He stated that HB 420 incorporates changes in the revised UAGA, which was just promulgated by the NCCUSL in 2006. Since then the revised act has been adopted in at least 22 states, which represents very fast action on the part of those states.

MR. GERAGHTY highlighted changes in the revised act. The first person consent to make a donation of organ and tissue has been substantially strengthened to bar others from interfering or attempting to revoke the gift. By the same token, if a person has entered into a refusal, the act also protects that person's right not to make a gift. He pointed out that absent first person consent, in which the deceased has neither consented nor refused to make a gift, the revised act facilitates gifts by family members and health care agents by expanding those who can act to make a gift on a person's behalf to include health care agent. This bill also clarifies the manner in which that consent must be contained and outlines the circumstances. Gifts on donor registries and state issued identification cards are specifically authorized under HB 420. Registries are encouraged and operation standards are provided since many states did not have donor registries. He pointed out that the state adopted a uniform state registry a few years ago that has been very successful. This bill provides for cooperation and coordination between procurement organizations and medical examiners specifically with regard to procurement from potential donors under the jurisdiction of the medical examiner.

MR. GERAGHTY concluded that HB 420 harmonizes federal law with current practices including the use of advanced medical directives, such as do not resuscitate orders. He stated that the revised act has been endorsed by the American Medical Association (AMA), the American Bar Association (ABA), the

American Academy of Ophthalmology, the American Association of Tissue Banks, the American Society of Cataract and Refractive Surgery, the Association of Organ Procurement Organizations, the federal Health and Human Services Advisory Committee on Organ Transplantation, the Cornea Society, and the Eye Bank Association of America. He strongly encouraged the committee to act on HB 420.

[2:47:17 PM](#)

CHAIR RAMRAS, after first determining no one else wished to testify, closed public testimony on HB 420.

REPRESENTATIVE GRUENBERG expressed an interest in having HB 420 held over so that he could research the matter of the minor, but he deferred to Chair Ramras.

CHAIR RAMRAS expressed his preference for moving HB 420 out of committee.

[2:48:49 PM](#)

REPRESENTATIVE DAHLSTROM moved to report HB 420 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 420 was reported from the House Judiciary Standing Committee.

HB 368 - ETHICS: LEGISLATIVE & GOV/LT GOV

[Contains brief mention that HB 368 is intended to clean up some of the provisions of HB 109.]

[2:49:08 PM](#)

CHAIR RAMRAS announced that the final order of business would be HOUSE BILL NO. 368, "An Act modifying the limitations on political fund raising during legislative sessions by candidates for governor or for lieutenant governor, and amending the Legislative Ethics Act to modify the limitation on political fund raising by legislators and legislative employees during legislative sessions, to allow legislators and legislative employees to accept certain gifts from lobbyists within their immediate families, to clarify the Legislative Ethics Act as it relates to legislative volunteers and educational trainees, to reduce the frequency of publication of summaries by the Select Committee on Legislative Ethics, to revise procedures and penalties related to the late filing of disclosures required by

the Legislative Ethics Act, and to add a definition to that Act." [Before the committee was CSHB 368(STA).]

2:49:18 PM

REPRESENTATIVE COGHILL moved to adopt the proposed committee substitute (CS) for HB 368, Version 25-LS1326\0, Wayne, 3/20/08, as the working document. There being no objection, Version 0 was before the committee.

2:50:25 PM

JOYCE ANDERSON, Ethics Committee Administrator, Select Committee on Legislative Ethics, Legislative Affairs Agency (LAA), stated that HB 368 is a clean up bill from last year, HB 109, which was an all encompassing ethics bill. Additionally, some recommendations by ethics committee members are incorporated into HB 368. She reviewed the changes in Version 0 by section. She stated that in Section 1, the Select Committee on Legislative Ethics recommended not to allow campaign fund raising during a legislative session regardless of the location of the fundraiser. She noted that Section 2 of the bill refers to gifts. Last year, a provision was added to HB 109 that would prohibit lobbyists from giving gifts to legislative staff. However, the change created an inadvertent consequence in that it also prohibited spouses from giving gifts to staff. Thus, spouses were prohibited from giving gifts to their significant others for birthdays or anniversaries. The Select Committee on Legislative Ethics recommends that gifts should be allowed from immediate family members to legislative staff.

MS. ANDERSON advised that Sections 3 and 4 of the bill are not changed. Section [6] requires that the Select Committee on Legislative Ethics publish summaries of its decisions and advisory opinions annually instead of semi-annually, which reflects current practice and was recommended by the Select Committee on Legislative Ethics. She also pointed out that the advisory opinions are placed in the newsletter immediately after issuance and are placed in a searchable database on the Select Committee on Legislative Ethics' website. She further advised that complaint decisions are also placed in the advisory newsletter and will soon be posted on the website, as well. She highlighted that the Select Committee on Legislative Ethics also notifies the press of any decision or opinion as part of its internal policy and its rules of procedure.

MS. ANDERSON pointed out that the summaries of decisions and advisory opinions are submitted to the House Chief Clerk and the Senate Secretary annually, which then becomes part of the legislative journal. Section [7] of the bill pertains to the fine structure. Currently, the committee can impose a fine for late filing of disclosures. The Select Committee on Legislative Ethics recommends adding language that would separate out and make a distinction between "inadvertent" and "willful" late filings. Currently the fine imposed for late filings is \$2 per day, with a maximum of \$100 for each disclosure. The Select Committee on Legislative Ethics recommends limiting the fine for inadvertent late filing to \$25 and would impose a fine for willful late filing in the amount of \$100 for each day, not to exceed \$2,500. She related that a former legislator refused to file his/her disclosures, eventually filed his/her disclosures, and was fined. However, the former legislator refused to pay the fine and since the fine consisted of two \$100 fines, the attorney general's office declined to prosecute. The Select Committee on Legislative Ethics stresses the importance of filing final disclosures. Thus, the fine structure was changed to encourage timely filing of disclosures after leaving office or leaving employment. Ms. Anderson highlighted that her research of other states showed that their fines ranged between \$5,000 and \$10,000 for late filings, so the Select Committee on Legislative Ethics felt that \$100 per day fine was reasonable. She noted that she worked with staff on an amendment, which she could address later on for the committee.

[2:57:26 PM](#)

REPRESENTATIVE DAHLSTROM related her understanding that under current law the Select Committee on Legislative Ethics could not take any action with respect to a former legislator. She related her own experience with a late filing and offered her view that it was her personal responsibility to pay the fine, which she did.

MS. ANDERSON pointed out that the newspapers did run an article to publicize the late filing in that instance. She surmised that Representative Dahlstrom probably was referring to an APOC late filing rather than a case that came before the Ethics Committee for late disclosure filing. She characterized the three-tier fine structure as meeting the needs of legislators and staff. She pointed out that the Select Committee on Legislative Ethics reviews extenuating circumstances.

CHAIR RAMRAS related that his campaign finance manager is receiving treatment for cancer and he said he appreciates the Select Committee on Legislative Ethics' willingness to consider extenuating circumstances.

REPRESENTATIVE SAMUELS referred to lines 1-6 in proposed AS 15.13.072(g). He referred to "municipality" and inquired as to how this subsection would apply if the regular or special session of the legislature convened in an area that was not a "municipality."

MS. ANDERSON offered her recollection of past discussions. She posed a scenario in which a special session is held in Girdwood, that the Select Committee on Legislative Ethics would not allow fundraising to occur in Anchorage. The Select Committee on Legislative Ethics would view the provision to include the entire area.

REPRESENTATIVE SAMUELS inquired as to whether municipalities would include boroughs, such as the Fairbanks North Star Borough. He opined that only one municipality exists and it is the Municipality of Anchorage. He further inquired as to how it is defined.

[3:02:37 PM](#)

REPRESENTATIVE GRUENBERG recalled that the Alaska Bar Association (ABA) disciplines attorneys. The ABA can issue a public reprimand, he noted. He suggested that the committee consider providing the Select Committee on Legislative Ethics similar power in situations in which the activity is considered wilful conduct or refusal. In response to Ms. Anderson, Representative Gruenberg explained that the public reprimand is one that is provided to the attorney and also a notice is placed in newspapers of general circulation around the state. He stated that he would be prepared to offer such an amendment.

MS. ANDERSON answered that the committee has discussed this matter and has in its rules of procedure that if willful conduct of that type occurs that the conduct would be listed in the in the advisor's newsletter. She noted that the advisor's newsletter did list information on the legislator who refused to pay his/her fine. She pointed out that the advisor's newsletter is also posted to the Select Committee on Legislative Ethics' website.

REPRESENTATIVE GRUENBERG restated that he would offer the amendment at the appropriate time, similar to the ABA disciplinary action.

REPRESENTATIVE COGHILL said he would strongly object to such an amendment. He opined that the fine would be enough. He stated that disciplining members should remain with the body. He further stated that the Select Committee on Legislative Ethics has enough authority. However, he stated that he wants the Select Committee on Legislative Ethics to perform its functions well.

CHAIR RAMRAS reminded members of the fourth estate which is quite capable of undermining the reputation of members in good standing.

REPRESENTATIVE LYNN answered that the person is no longer part of the body so the concern shouldn't apply and would not make any difference.

REPRESENTATIVE SAMUELS referred to page 2, in proposed AS 15.13.072(g), and inquired as to whether "municipality" would also encompass the cities and boroughs.

[3:07:48 PM](#)

DAN WAYNE, Attorney, Legislative Legal Counsel, Legislative Legal and Research Services, Legislative Affairs Agency (LAA), explained that the general definition of municipality means a political subdivision incorporated under the laws of the state, a home rule or general law city, a home rule or general law borough or a unified municipality.

CHAIR RAMRAS, after first determining that no one else wished to testify, closed public testimony on HB 368.

[3:08:36 PM](#)

CHAIR RAMRAS made a motion to adopt Amendment 1, labeled 25-LS1326\0.1, Wayne, 3/26/08, which read:

Page 1, lines 3 - 4:

Delete **"who are members of their immediate families"**

Page 2, line 30, following "(B)":

Insert "a contribution to a charity event from any person at any time, and"

Page 3, line 7:
Delete "or"

Page 3, line 10, following "family":

Insert "i
(D) a gift delivered on the premises of a state facility and accepted on behalf of a recognized nonpolitical charitable organization; or
(E) a compassionate gift under AS 24.60.075"

REPRESENTATIVE HOLMES objected.

MS. ANDERSON, in response to Chair Ramras, offered that the change proposed in Amendment 1 would place all of the exceptions for a lobbyist in one provision of statutes for easier access. She explained that AS 24.60.030(a)(2)(K) and AS 24.60.080(c)(10) currently contain the language to allow contributions to a charity event from an person at any time, such that it allows for the Fahrenkamp Classic to be held. She noted that all of the changes contained in the Amendment 1 are existing law. This amendment would place them in the appropriate section of statute for easier access.

REPRESENTATIVE HOLMES removed her objection. There being no further objection, Amendment 1 was adopted.

[3:12:11 PM](#)

REPRESENTATIVE GRUENBERG made a motion to adopt Conceptual Amendment 2, which was handwritten, as follows [original punctuation provided]:

Page 5, line 3, add the following sentence: "In addition to any fine that may be imposed, if the committee finds that the late filing was willful, it may issue a private or public reprimand."

Representative Gruenberg opined that the committee should also have the authority, in addition to any fine imposed should have the ability to issue a private or public reprimand. He conveyed that a private reprimand, similar to the ABA rules, means simply a letter to the person involved. However, a public reprimand would be same as it is for the ABA, that a notice would be

placed in the newspaper. He offered, in response to Representative Coghill's comments, that it seems to him that the person's reputation is important, that the Select Committee on Legislative Ethics would not invoke this provision often and only in egregious cases. However, he stressed his belief that the Select Committee on Legislative Ethics should have the authority to do so.

REPRESENTATIVE COGHILL objected.

CHAIR RAMRAS made a motion to adopt an amendment to Amendment 2, as follows, to authorize the Select Committee on Legislative Ethics to impose corporal punishment on any member that does not file its paperwork in a timely fashion.

CHAIR RAMRAS pointed out that his sarcasm is intended to convey his sense that corporal punishment is equally inappropriate as any committee, such as the Ethics Committee, holding the authority to impose public disciplinary sanctions to this body.

REPRESENTATIVE GRUENBERG withdrew Amendment 2.

[3:15:17 PM](#)

REPRESENTATIVE DAHLSTROM moved to report the proposed CS for HB 368, labeled 25-LS1326\0, Wayne, 3/20/08, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 368(JUD) was reported from the House Judiciary Standing Committee.

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 3:16 p.m.