

**ALASKA STATE LEGISLATURE**  
**SENATE LABOR AND COMMERCE STANDING COMMITTEE**

March 6, 2008

2:29 p.m.

**MEMBERS PRESENT**

Senator Johnny Ellis, Chair  
Senator Bettye Davis  
Senator Con Bunde

**MEMBERS ABSENT**

Senator Gary Stevens, Vice Chair  
Senator Lyman Hoffman

**COMMITTEE CALENDAR**

CS FOR HOUSE BILL NO. 233(L&C)

"An Act relating to giving notice of unclaimed net margin distributions made by electric and telephone cooperatives."

MOVED SCS CSHB 233(L&C) OUT OF COMMITTEE

CS FOR HOUSE BILL NO. 196(JUD)

"An Act relating to the handling of matters after a person's death."

MOVED SCS CSHB 196(L&C) OUT OF COMMITTEE

HOUSE JOINT RESOLUTION NO. 16

Opposing imposition of a milk tax on Alaskans.

MOVED HJR 16 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 233

SHORT TITLE: UNCLAIMED PHONE/ELEC COOP DISTRIBUTIONS

SPONSOR(S): RULES

04/11/07	(H)	READ THE FIRST TIME - REFERRALS
04/11/07	(H)	L&C
04/25/07	(H)	L&C AT 3:00 PM CAPITOL 17
04/25/07	(H)	Moved CSHB 233(L&C) Out of Committee
04/25/07	(H)	MINUTE(L&C)
04/27/07	(H)	L&C RPT CS(L&C) 4DP 1NR
04/27/07	(H)	DP: GARDNER, LEDOUX, BUCH, OLSON
04/27/07	(H)	NR: NEUMAN
05/02/07	(H)	TRANSMITTED TO (S)

05/02/07 (H) VERSION: CSHB 233(L&C)  
05/03/07 (S) READ THE FIRST TIME - REFERRALS  
05/03/07 (S) L&C, FIN  
02/14/08 (S) L&C AT 1:30 PM BELTZ 211  
02/14/08 (S) Heard & Held  
02/14/08 (S) MINUTE(L&C)  
03/06/08 (S) L&C AT 1:30 PM BELTZ 211

BILL: HB 196

SHORT TITLE: HANDLING MATTERS AFTER A PERSON'S DEATH  
SPONSOR(s): JUDICIARY

03/14/07 (H) READ THE FIRST TIME - REFERRALS  
03/14/07 (H) JUD  
04/04/07 (H) JUD AT 1:00 PM CAPITOL 120  
04/04/07 (H) Heard & Held  
04/04/07 (H) MINUTE(JUD)  
04/10/07 (H) JUD AT 1:00 PM CAPITOL 120  
04/10/07 (H) Moved CSHB 196(JUD) Out of Committee  
04/10/07 (H) MINUTE(JUD)  
04/11/07 (H) JUD RPT CS(JUD) 5DP 1NR  
04/11/07 (H) DP: GRUENBERG, LYNN, COGHILL, HOLMES,  
RAMRAS  
04/11/07 (H) NR: SAMUELS  
04/20/07 (H) TRANSMITTED TO (S)  
04/20/07 (H) VERSION: CSHB 196(JUD)  
04/23/07 (S) READ THE FIRST TIME - REFERRALS  
04/23/07 (S) L&C, STA, JUD  
02/21/08 (S) L&C AT 1:30 PM BELTZ 211  
02/21/08 (S) Heard & Held  
02/21/08 (S) MINUTE(L&C)

BILL: HJR 16

SHORT TITLE: OPPOSING MILK TAX  
SPONSOR(s): REPRESENTATIVE(s) LYNN

03/30/07 (H) READ THE FIRST TIME - REFERRALS  
03/30/07 (H) L&C  
05/04/07 (H) L&C AT 3:00 PM CAPITOL 17  
05/04/07 (H) Moved Out of Committee  
05/04/07 (H) MINUTE(L&C)  
05/05/07 (H) L&C RPT 5DP  
05/05/07 (H) DP: GARDNER, GATTO, BUCH, LEDOUX, OLSON  
05/09/07 (H) TRANSMITTED TO (S)  
05/09/07 (H) VERSION: HJR 16  
05/09/07 (S) READ THE FIRST TIME - REFERRALS  
05/09/07 (S) L&C

02/21/08 (S) L&C AT 1:30 PM BELTZ 211  
02/21/08 (S) Heard & Held  
02/21/08 (S) MINUTE(L&C)  
03/06/08 (S) L&C AT 1:30 PM BELTZ 211

#### **WITNESS REGISTER**

DANA OWEN

Staff to Senator Ellis  
Alaska State Capitol  
Juneau, AK

**POSITION STATEMENT:** Explained the L&C CS for CSHB 233(L&C).

ROBERT WILKINSON

Copper Valley Electric Association  
Valdez, AK

**POSITION STATEMENT:** Supported CSHB 233(L&C), version T.

JANE PIERSON

Staff to Representative Ramras  
Alaska State Capitol  
Juneau, AK

**POSITION STATEMENT:** Was available to answer questions on HB 196 for the sponsor.

DIRK MOFFATT

Staff to Representative Lynn  
Alaska State Capitol  
Juneau, AK

**POSITION STATEMENT:** Commented on HJR 16 for the sponsor.

#### **ACTION NARRATIVE**

**CHAIR JOHNNY ELLIS** called the Senate Labor and Commerce Standing Committee meeting to order at [2:29:51 PM](#). Present at the call to order were Senators Bunde, Davis and Ellis.

#### **CSHB 233(L&C)-UNCLAIMED PHONE/ELEC COOP DISTRIBUTIONS**

[2:30:47 PM](#)

CHAIR ELLIS announced HB 233 to be up for consideration and that the committee had an SCS prepared after suggestions by Mr. Ray Craig of Chugach Consumers Group regarding the public notice.

DANA OWEN, staff to Senator Ellis, explained the differences between SCS CSHB 233(L&C), version T, and the original bill. He said the original bill mandates that if an electric co-operative

has a website, they would have two options for publishing a list of names of people who may have unclaimed distributions. They could either do it in the normal fashion in a newspaper or they could publish it on a website for 180 days. He found working with the cooperatives and especially with Mr. Craig that there were a number of places where he thought it could be more specific. That's what version T tries to accomplish.

MR. OWEN said he worked with Robert Wilkerson, Copper Valley Electric Association, who is representing a group of electric co-ops and came up with language saying if a cooperative has a website it must post the names for at least 180 days on that site; it must also post a notice on the home page that the list is on the site. That notice must contain a link to the list and the following prominently displayed notice line in all capital letters: DO WE OWE YOU MONEY? UNCLAIMED (Insert name of Cooperative) CAPITAL CREDITS. They also have to publish once a week for four consecutive weeks a similar notice in a general circulation newspaper in the cooperatives judicial district. If the newspaper has an Internet addition, the notice is to be simultaneously published there. The size of the notice is further defined. In both cases a newspaper of general circulation is defined as it is in another section of statute.

[2:33:50 PM](#)

ROBERT WILKINSON, Copper Valley Electric Association, supported version T. He said Mr. Craig supported it as well.

[2:35:08 PM](#)

SENATOR DAVIS moved to adopt SCS CSHB (L&C) 25-LS0779\T. There were no objections and it was so ordered.

SENATOR BUNDE moved to report SCS CSHB 233(L&C) from committee with individual recommendations and attached fiscal note(s). There were no objections and it was so ordered.

**CSHB 196(JUD)-HANDLING MATTERS AFTER A PERSON'S DEATH**

[2:36:08 PM](#)

CHAIR ELLIS announced CSHB 196(JUD) to be up for consideration. He asked Ms. Pierson if she had any quick comments to remind them of the nature of the bill.

JANE PIERSON, staff to Representative Ramras, replied that she had covered everything and would answer questions.

[2:36:52 PM](#)

SENATOR BUNDE moved to adopt Amendment 1.

25-LS0447\E.1  
Bannister

**AMENDMENT 1**

OFFERED IN THE SENATE  
TO: CSHB 196(JUD)

BY SENATOR BUNDE

Page 2, line 6:

Delete "\$25,000"  
Insert "\$100,000"

CHAIR ELLIS objected for an explanation.

SENATOR BUNDE said the sponsor had agreed with and supported the amendment. He explained that it raises the value of real property from \$25,000 to \$100,000 before going to probate.

CHAIR ELLIS agreed with changing the amounts. He removed his objection and Amendment 1 was adopted.

[2:39:42 PM](#)

SENATOR BUNDE moved to report SCS CSHB 196(L&C) from committee with individual recommendations and accompanying fiscal note(s). There were no objections and it was so ordered.

**HJR 16-OPPOSING MILK TAX**

[2:40:25 PM](#)

CHAIR ELLIS announced HJR 16 to be up for consideration.

DIRK MOFFATT, staff to Representative Lynn, sponsor of HJR 16, said the Chair had asked a question in the February 21 L&C meeting about a letter from Department of Natural Resources (DNR) about the constitutionality of the "Got Milk" campaign that said it might be prudent to wait for the outcome of the Beef Act case. He found that "on May 23, 2005 the court ruled against WORK and the Livestock Marketing Association in a 6 to 3 decision saying that mandatory beef check-off is government speech and therefore, does not violate the constitution's right to free speech." Mr. Moffatt explained the idea was that this resolution might not be necessary, but as it stands now if Alaska is added to the list of states where producers have to pay the milk tax, there's nothing unconstitutional about it.

CHAIR ELLIS found no further questions.

SENATOR BUNDE moved to report HJR 16 from committee with individual recommendations. There were no objections and it was so ordered.

2:42:47 PM

There being no further business to come before the committee, Chair Ellis adjourned the meeting at 2:43:51 PM.