

**ALASKA STATE LEGISLATURE**  
**SENATE STATE AFFAIRS STANDING COMMITTEE**

January 31, 2008

9:04 a.m.

**MEMBERS PRESENT**

Senator Lesil McGuire, Chair  
Senator Hollis French  
Senator Con Bunde  
Senator Gary Stevens, Vice Chair

**MEMBERS ABSENT**

Senator Lyda Green

**COMMITTEE CALENDAR**

HOUSE BILL NO. 37

"An Act establishing the first Saturday of every March as Susan Butcher Day."

MOVED HB 37 OUT OF COMMITTEE

SENATE BILL NO. 201

"An Act relating to the establishment and maintenance of an Internet website providing public finance information; and identifying the information to be available on the Internet website."

HEARD AND HELD

SENATE BILL NO. 215

"An Act relating to issuance of identification cards and to issuance of driver's licenses; and providing for an effective date."

HEARD AND HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 37

SHORT TITLE: ESTABLISHING SUSAN BUTCHER DAY

SPONSOR(S): REPRESENTATIVE(S) GUTTENBERG, KERTTULA, NEUMAN

01/16/07	(H)	PREFILE RELEASED 1/5/07
01/16/07	(H)	READ THE FIRST TIME - REFERRALS
01/16/07	(H)	STA
01/30/07	(H)	STA RPT 6DP

01/30/07 (H) DP: JOHNSON, JOHANSEN, GRUENBERG, DOLL,  
COGHILL, LYNN  
01/30/07 (H) STA AT 8:00 AM CAPITOL 106  
01/30/07 (H) Moved Out of Committee  
01/30/07 (H) MINUTE(STA)  
01/31/07 (H) TRANSMITTED TO (S)  
01/31/07 (H) VERSION: HB 37(EFD ADD)  
02/02/07 (S) READ THE FIRST TIME - REFERRALS  
02/02/07 (S) STA  
02/05/07 (S) STA REFERRAL WAIVED  
02/05/07 (S) RES REFERRAL ADDED  
02/14/07 (S) RES AT 3:30 PM BUTROVICH 205  
02/14/07 (S) Scheduled But Not Heard  
01/23/08 (S) RES REFERRAL WAIVED  
01/23/08 (S) STA REFERRAL ADDED  
01/31/08 (S) STA AT 9:00 AM BELTZ 211

BILL: SB 201

SHORT TITLE: PUBLIC FINANCE WEBSITE  
SPONSOR(S): SENATOR(S) WIELECHOWSKI

01/16/08 (S) PREFILE RELEASED 1/4/08  
01/16/08 (S) READ THE FIRST TIME - REFERRALS  
01/16/08 (S) STA, FIN  
01/31/08 (S) STA AT 9:00 AM BELTZ 211

BILL: SB 215

SHORT TITLE: REQUIREMENTS FOR DRIVER'S LICENSE/I.D.  
SPONSOR(S): SENATOR(S) HUGGINS

01/16/08 (S) PREFILE RELEASED 1/4/08  
01/16/08 (S) READ THE FIRST TIME - REFERRALS  
01/16/08 (S) STA, TRA  
01/31/08 (S) STA AT 9:00 AM BELTZ 211

**WITNESS REGISTER**

REPRESENTATIVE DAVID GUTTENBERG  
Alaska State Legislature  
Juneau AK

**POSITION STATEMENT:** Presented HB 37.

DAVID MONSON, Husband  
of Susan Butcher  
Eureka AK

**POSITION STATEMENT:** Spoke in support of HB 37.

REPRESENTATIVE JAY RAMRAS  
Alaska State Legislature  
Juneau AK

**POSITION STATEMENT:** Spoke in support of HB 37.

JOHN BINKLEY, Former State Senator  
Alaska State Legislature  
Fairbanks AK

**POSITION STATEMENT:** Spoke in favor of HB 37 and SB 201.

SENATOR BILL WIELECHOWSKI  
Alaska State Legislature  
Juneau AK

**POSITION STATEMENT:** Presented SB 201.

STEVE CLEARY, Executive Director  
Alaska Public Interest Research Group (AKPIRG)  
Anchorage AK

**POSITION STATEMENT:** Spoke in favor of SB 201.

MEAD TREADWELL  
Alaskans for Tax Reform  
Anchorage AK

**POSITION STATEMENT:** Spoke in favor of SB 201.

KIM GARNERO, Director  
Division of Finance  
Alaska Department of Administration  
Juneau AK

**POSITION STATEMENT:** Answered questions regarding SB 201.

GROVER NORQUIST, President  
Americans for Tax Reform  
Washington D.C.

**POSITION STATEMENT:** Spoke in favor of SB 201.

SENATOR CHARLIE HUGGINS  
Alaska State Legislature  
Juneau AK

**POSITION STATEMENT:** Presented SB 215.

DUANE BANNOCK, former Director  
Alaska Department of Motor Vehicles  
Juneau AK

**POSITION STATEMENT:** Spoke in favor of SB 215.

SCOTT MCMURREN, Travel Consultant

Anchorage AK

**POSITION STATEMENT:** Spoke in opposition to SB 215.

BILL SCANNELL

Anchorage AK

**POSITION STATEMENT:** Spoke in opposition to SB 215.

MATHEW KERR

Anchorage AK

**POSITION STATEMENT:** Spoke in opposition to SB 215.

JIM HARRISON, Attorney

Anchorage AK

**POSITION STATEMENT:** Spoke in opposition to SB 215.

#### **ACTION NARRATIVE**

**CHAIR LESIL MCGUIRE** called the Senate State Affairs Standing Committee meeting to order at [9:04:15 AM](#). Senators French, Bunde, Stevens, and McGuire were present at the call to order.

#### **HB 37-ESTABLISHING SUSAN BUTCHER DAY**

CHAIR MCGUIRE announced the consideration of HB 37. [HB 37 (EFD ADD) was before the committee.]

REPRESENTATIVE DAVID GUTTENBERG, Alaska State Legislature, sponsor of HB 37, said the bill establishes the first Saturday of March as Susan Butcher day. She was larger than life in his world. When he attended her memorial service he realized "how much of a person she was on a national level and what she was doing for Alaska." George Lucas and [Bill and Melinda] Gates attended the memorial. Besides being a phenomenal musher, Susan was an American most of us only read about in history books. Her family downplayed that role. She was very down-to-earth. HB 37 is a good thing to do for the state and the nation.

CHAIR MCGUIRE introduced David Monson and noted that he has spent a year testifying for this legislation. She welcomed him and thanked him for his efforts.

DAVID MONSON, Husband of Susan Butcher, said if he had the choice he wouldn't be here; "I would be at home with her." Life doesn't give you those choices. He always imagined her at 80 years of age and walking determinedly down the street telling people to get out of the way because she had something important to do. In 50 years she probable got more out of life than most.

He wondered how he could condense his 25 years with her into two minutes. "I can't do it."

[9:08:19 AM](#)

MR. MONSON said he has learned from the letters that came from other people; she wasn't just "Susan the musher," she was the representation of Alaska and the inspiration for young people. He said he was humbled that so many people, including military leaders and national media people, thought so highly of her. Melinda [Gates] said Susan helped her find her voice as a woman. It really struck him that he heard from many women who were inspired by Susan to do whatever it was that they wanted to do. One said, "If you can be out there on the trail ... then I can walk across the room ... because I have arthritis." A seven-year-old girl said she was going to grow up to be a doctor, "and I know that, because you could do something that you weren't supposed to be able to do." When Susan first started racing, people didn't want her to win because she was doing something that women were not supposed to be doing. She never complained about that but just wanted to do her best. When she failed, she tried and tried again. She had been attacked by a moose and put out of the race, and she came back without regrets, and she won. Over the years, that sent a message, he opined.

[9:10:37 AM](#)

MR. MONSON said Susan was genuine. We met six different presidents, and she treated them the same as any plumber or anyone. She wasn't afraid to say what she thought. You knew where she stood. It is difficult to be here to talk about her, but "when I see how much she inspired others, and when I see what she did in a very positive way to bring the image of Alaska of hard work, dedication, self reliance, and love of the wilderness to the people in the United States and in the world - - she really served a mighty role in presenting our state in the most positive way and bringing many, many people ... to Alaska." It served the state well, and it will continue, he stated. She was a role model. "My children were very, very lucky to have her; I was lucky to have her." The state was lucky to have her. It took a year to get here, but in that year, he learned things about Susan that he did not know. It gave him time to pause and read what people had to say about her. "Sometimes life gives you what you need, and maybe this was it."

[9:12:59 AM](#)

REPRESENTATIVE JAY RAMRAS, Alaska State Legislature, said he used one of Susan Butcher's dogs in a television commercial in 1986. He used to do food drops for her during races. He knew her

and David for years. On behalf of the state, Susan Butcher was such a transcending figure of self reliance, and she is good for the brand of Alaska and the support of dog mushing, which has its critics. Recognizing Susan is good for gender equality and for everyone in Alaska. At her funeral Herbie Nayokpuk was not in good health, but he spoke, and Representative Ramras saw "passing Alaska history." Susan had a unique ability to bridge the Native and non-Native world.

[9:15:38 AM](#)

REPRESENTATIVE RAMRAS said she had a certain majesty connecting the two cultures and connecting Alaska to the lower 48. This is an appropriate honor and will pay dividends to Alaska. Alaska needs more legends because it doesn't have any Paul Reveres.

[9:16:40 AM](#)

JOHN BINKLEY, Former State Senator, said his family has known Susan for many years. She was caring for musk ox and his family loaned her a garage. He once served in this body and she and David were constituents. Mr. Binkley said he helped promote the Iditarod. When Susan and David moved to Fairbanks they became a part of his [tourism] operation, giving visitors a glimpse of life in Alaska. The Iditarod was brought to Alaska by Joe Redington, but Susan brought the Iditarod to the rest of the world. She embodied and represented Alaskans around the world, showing we are independent people and regardless of gender "you can compete equally." Alaskans should be proud of her, and HB 37 is a way to keep that alive.

[9:19:40 AM](#)

CHAIR MCGUIRE said that some people have asked about other Iditarod mushers, and if there should be an Iditarod Day instead. She spoke of the Elizabeth Peratrovich gallery, and without a specific day honoring her, her story and legend would be lost. Chair McGuire didn't know who Peratrovich was at first, and then she learned her story about standing up in that gallery to speak about Native rights, and making Alaska ahead of the civil rights movement. That was incredible. A Susan Butcher Day sends a story too.

MR. BINKLEY said Susan transcends the Iditarod itself. The race was her platform, but it was more about the personification of her to the rest of the world about Alaska. It is not the accomplishments in the race itself, and that is why it should be a Susan Butcher Day and not be diminished to all who have been involved in the Iditarod.

[9:22:25 AM](#)

SENATOR BUNDE said he understands not wanting to clutter up the statutes with specific days, but Susan was extraordinary.

CHAIR MCGUIRE noted that that debate has gone on, but Susan is a role model, an Alaska story, a national story, and a positive story about the race.

[9:23:43 AM](#)

SENATOR FRENCH moved to report HB 37 from committee with individual recommendations and attached fiscal note(s). There being no objection, HB 37(efd add) moved out of committee.

### **SB 201-PUBLIC FINANCE WEBSITE**

SENATOR MCGUIRE announced the consideration of SB 201.

SENATOR BILL WIELECHOWSKI, Alaska State Legislature, said the intent of SB 201, the Alaska Open Government Act, is to create a free, searchable website that provides Alaskans with easy access to detailed and comprehensive information on state spending. It will encourage better understanding of state operations and, ultimately, reduce waste and ensure that funding is directed to the state's most important needs. He read a quote from Thomas Jefferson: "We might hope to see the finances of the union as clear and intelligible as a merchant's book so that every member of Congress and every man of any mind in the union should be able to comprehend them to investigate abuses and consequently to control them."

SENATOR WIELECHOWSKI said these types of websites are emerging all over the country. The Federal Funding Accountability and Transparency Act of 2006 called for creation of a searchable website. It was introduced by a bipartisan team of four Senators including Senators John McCain and Barack Obama. In 2007, five states passed legislation mandating online databases with detailed information on state expenditures. They include Kansas, Texas, Oklahoma, Minnesota, and Hawaii. There are 15 states that are considering it. There seems to be a national consensus brewing, which is being supported from all sides, from Ralph Nadar to Grover Norquist.

[9:27:41 AM](#)

SENATOR WIELECHOWSKI said he first heard about this idea at a National Conference of State Legislatures. The governor has embraced it too and has taken strides to get a system on line. He is working with the administration, and there is a zero

fiscal note. It should be in statute so that the legislature has some control over what can be searchable. It will also signal to the public that the legislature supports it.

SENATOR BUNDE said it will give citizens information and make it easy to get involved. He questioned the zero fiscal note.

[9:29:43 AM](#)

SENATOR WIELECHOWSKI said Grover Norquist says it is being done in other states for nominal amounts of money. The administration will do it with an Excel spreadsheet, and it will involve time. Some money was budgeted for new software last year.

SENATOR BUNDE noted that in Oklahoma it was predicted to cost \$300,000, but it was only \$8,000. If there is to be transparency, even \$8,000 needs to be shown.

SENATOR FRENCH said this is an idea he has had. One of his constituents wants to know expenditures right down to a light bulb. This is the way the government ought to work. There is no reason a person should have to drive somewhere to find this information when the internet can provide it.

SENATOR WIELECHOWSKI said this information is out there, so it is a matter of putting in a searchable database.

[9:32:08 AM](#)

SENATOR STEVENS said the governor is already doing this and it is funded. He asked what the legislature can add.

SENATOR WIELECHOWSKI said this is important and the legislature is the body that crafts a budget. This governor is open to it, but further governors may not be. It also gives this body a say in what information will be accessible.

CHAIR MCGUIRE said it might give the legislature an opportunity to look at what types of things should not be in the database, like social security numbers. She asked about salaries.

SENATOR WIELECHOWSKI said this plan does not include salaries or state or federal assistance payments.

SENATOR BUNDE suggested showing the total spent on welfare.

SENATOR WIELECHOWSKI said absolutely, but it will not list each individual payment.

[9:35:24 AM](#)

CHAIR MCGUIRE asked about other exclusions.

SENATOR WIELECHOWSKI said that is really it. The bill defines expenditure as something greater than \$10,000. He is open to lowering it to \$1,000. "Do you want to list every \$0.99 purchase?" He read the language: Expenditure does not include the transfer of money between state agencies, payment to state employees or retirees, or payment of state or federal assistance to an individual.

[9:36:43 AM](#)

SENATOR FRENCH suggested discussing excluded expenditures, and he asked about "a contract, a buy, purchase and things along those lines."

SENATOR BUNDE asked about line 31, regarding payment to state employees. He asked if it meant individual employees.

SENATOR WIELECHOWSKI said he has looked at other websites and there is a pie chart where labor costs are included, but naming specific employees might not be added even though that information can be found elsewhere.

[9:38:19 AM](#)

SENATOR BUNDE asked if salaries would be in categories.

SENATOR WIELECHOWSKI said that is his intention.

CHAIR MCGUIRE suggested including "individual payments to state employees or retirees" as part of the exclusions.

SENATOR BUNDE said \$10,000 sounds significant.

[9:39:30 AM](#)

JOHN BINKLEY, Former Alaska State Senator, applauded the senator and governor for working on this. Such access will give trust to people for the government. There are details that will be involved, and it will be a learning process. There will be things that can't be seen now. In codifying it, don't lock something in that would preclude doing something beneficial in constructing the website. He suggested that the legislature might want to pass a bill now and look at the nuances later.

[9:42:07 AM](#)

CHAIR MCGUIRE said the bill will be held over to continue the communications.

SENATOR BUNDE said to be cautious on both sides. The government should not inundate the citizen with so much information that there is no clarity.

MR. BINKLEY said it depends on the data arrangement. If it is accessible there is no harm in allowing people to find the smallest amounts. When he worked at the Alaska Railroad, everything was made accessible, and links allowed anyone to easily go from a broad view to the lowest level of expenditures.

[9:44:43 AM](#)

SENATOR BUNDE asked if there has been any hacking.

MR. BINKLEY said not in his experience.

SENATOR FRENCH noted that the committee leans toward not including salaries. The Alaska Budget Report lists state salaries. He asked if other states include salaries in their websites. There are members of the public interested, specifically, in that expense, so it is worth thinking about.

[9:46:14 AM](#)

STEVE CLEARY, Executive Director, Alaska Public Interest Research Group (AKPIRG), Anchorage, said AKPIRG's mission is protecting consumers and advocating responsible government. SB 201 is a great idea and should help government and citizens. More people should be involved in civic affairs, and allowing them to search where state money is going will engage them more. He hopes it will be used to heap praise on the legislature, but it will also allow criticism. It will make government more efficient. Other states are doing it, and the federal government has begun to do the same. He suggested asking other states to help with the questions that have been raised.

[9:48:35 AM](#)

SENATOR BUNDE said this will likely not change the view that excess state spending is just money that goes to someone else. He asked about listing individual salaries.

MR. CLEARY said salaries should be listed by job, not by person. Those salaries would be listed in an aggregate or as a range, such as are on the state website now.

[9:49:59 AM](#)

CHAIR MCGUIRE said that is an excellent idea.

MEAD TREADWELL, Alaskans for Tax Reform, Anchorage, said he is pleased to see this legislation and has drafted something similar as a voter initiative. He said he met Grover Norquist when tearing down the Berlin wall. Communist countries rely on secrecy to do bad things to people. Open government promotes freedom. He said he did a program to report to Alaskans on the management of commonly owned assets and taxes, and that information was difficult to get. Some states have a commission to update the process, but it is a continuing cost. He said an annual report could be required, or the governor could create an annual executive order to update the information. "Some kind of process in the bill to continually improve this window, I think, would be something the committee might want to consider."

[9:53:33 AM](#)

MR. TREADWELL noted that the criminal database has restrictions, and campaign databases can't be used for contribution solicitations. The information should be transparent, but it should be protected from database mining to create mailing lists. When he was a state official his salary was public. It doesn't hurt to have a public official's salary available. Anything that is "FOIable" [able to be attained through the Freedom of Information Act] should be on the website.

[9:55:20 AM](#)

SENATOR BUNDE asked about welfare recipients.

MR. TREADWELL said he doesn't know how available that information is now. "I think that's the type of thing that could be shielded under privacy." Likewise, medical assistance should be private. The legislation should have a shielding process or a means to petition for privacy.

[9:56:34 AM](#)

KIM GARNERO, Director, Division of Finance, Department of Administration, said her division will build the website; "in fact we already are building it." The current accounting system is very old and needs to be replaced. The legislature has appropriated money for it. The reporting system is called the Alaska Data Enterprise Reporting System (ALDER) and will allow the web access. ALDER is building the foundation for converting the legacy data, and it will have the benefit of allowing "reporting such as this." The system is in field test with 400 users. It will be shown to stakeholders at 11 a.m. today. All state expenditures over \$1,000 will be shown. It will be sorted by department and by account code. Increment II of ALDER will put the payroll data into it. "At that point we would be able to

do some of the reporting you guys have been talking about - how much do state troopers cost - how much does a state trooper cost - that sort of thing." That is not available now, but she expects it by August. Posting any confidential information needs to be prevented. ALDER I excludes all payments to beneficiaries of any kind, all confidential warrants, and any data that the agencies deem confidential.

[9:59:35 AM](#)

MS. GARNERO said there could be over-exclusions initially. The Department of Law will do a confidentiality analysis. There are many payments, including foster care and heating assistance, and none of that will be available until after the analysis.

SENATOR BUNDE assumed the information will be reported in general, just not to the individual.

MS. GARNERO said not in version I.

CHAIR MCGUIRE said that is a good idea to put it in categories.

SENATOR STEVENS asked if a difference will be drawn between employees and assistance beneficiaries.

MS. GARNERO said no payroll warrants will be posted, but if a state employee has received a travel reimbursement of over \$1,000, that will show up. But there will be no salaries, permanent fund dividends, or retirement checks.

[10:01:25 AM](#)

SENATOR FRENCH asked if a citizen will be able to figure out what state troopers, for example, get paid because the total salaries and total employees will be posted. "Would you have to do the division to figure out the annual salary?"

MS. GARNERO said she has not anticipated posting salary information - it is open for discussion.

SENATOR FRENCH asked if that information is available now.

MS. GARNERO said elements that make up gross pay for state employees are considered public information, but net pay is considered confidential under Title 39.

SENATOR FRENCH asked if a person can find out "Joe Smith's" gross salary.

[10:03:05 AM](#)

MS. GARNERO said she understands that a person can do that through the Division of Personnel.

SENATOR STEVENS asked Ms. Garnero if it makes sense to have a bi-annual report from her office considering things to add or remove from the database.

MS. GARNERO said she hasn't thought about a report, but she envisioned an ongoing governance group to assist in determining future enhancements.

[10:04:17 AM](#)

SENATOR BUNDE said the goal is for more confidence in the government and unintended consequences need to be watched for. If large categories are unreported, someone will see the gap and wonder what is being hidden. He noted that the department is changing its computer software system anyway. He was told that the auditors of corporate income tax will need tens of millions of dollars in new software to do a good job.

MS. GARNERO said ALDER is being built from a \$20 million previous appropriation. She anticipates that they will also do a time and attendance system which will act as a front end to the existing payroll system. Last year the legislature appropriated \$41 million to start further replacement efforts, "and there's going to be a lot more necessary before it's done."

GROVER NORQUIST, President, Americans for Tax Reform, Washington D.C., said his group has been working with governments to enact legislation like SB 201. The federal government has passed a similar law. Five states have "moved very far on this." Missouri did it by executive order without appropriating a penny -- it used existing staff and resources. There have been two million unique visitors to the website. Texas has already saved millions of dollars. Every single check is searchable within two days. It is good for citizens and the government. Texas saved \$75,000 just on toner by seeing what each department was spending and then consolidating that. Florida and Ohio will require the state, local governments, and schools to do the same. If a school district in Texas can't show that a certain percentage of money isn't spent in the class room, the actual check register must be on the web. Now every parent can see every check written by the school district. It stops all types of abuses.

[10:10:03 AM](#)

MR. NORQUIST said this bill is exciting. He recommends the \$10,000 threshold be eliminated. "Otherwise you'll end up with a lot of \$9,000 checks being written." He said his website shows the status of all such systems in the country. Experienced states are willing to help other states.

[10:12:09 AM](#)

CHAIR MCGUIRE said SB 201 will be held over.

SENATOR STEVENS said he will want to discuss the inclusion of local governments and school districts at the next meeting.

#### **SB 215-REQUIREMENTS FOR DRIVER'S LICENSE/I.D.**

[10:13:00 AM](#)

CHAIR MCGUIRE announced the consideration of SB 215.

SENATOR CHARLIE HUGGINS, Alaska State Legislature, sponsor of SB 215, said the bill requires an applicant for a driver's license or a state identification card to be a citizen of this country or legally present. Alaskans are sensitive to the issue "of people coming here and exploiting our system when they're not here legally." Regarding a student with a visa, his or her driver's license will be good for the length of the visa. It allows the state to know who is here. In 2006, SB 189 passed the Senate by a margin of 17 to 1. Representative Bob Lynn has "the real bill." This is a companion bill to his. "I'm supporting his cause for Alaskans, and we need to merge those at some time ... but that does not subordinate how important I think this is to Alaskans." SB 215 is one way to keep at bay "people who are illegal in our state exploiting our system."

[10:16:34 AM](#)

SENATOR BUNDE said he just received information about the number of illegal aliens who were involved in crime and deported or moved to another state. It is 200 to 300 people per year.

SENATOR HUGGINS said Americans are very naïve. There is networking going on and people are being transported, he said. "The worst, obviously, is down at the southern border in some cases, but it doesn't matter whether it's people that have the capacity to create havoc in our country based on terrorism, or the fact that they're transporting drugs, or it's just that they're being paid to move people. That same networking is happening within states." "When things are getting a little bit warmed as far as preventive measures in state X, they may move to state Y, which is Alaska."

[10:18:47 AM](#)

DUANE BANNOCK, former Director, Alaska Department of Motor Vehicles (DMV), said he is testifying "just for fun ... it was an important bill to me when it was about my job; it's an important bill to me today when it doesn't have anything to do about my job." Senator Huggins has done a good job of describing the bill. "There are a lot of knocks about this bill." California, with its great understanding of illegal immigration, has rules similar to SB 215. He opined that Governor Gray Davis of California was recalled because he wanted illegal aliens to get state-issued driver's licenses and identification cards. This bill is about preventing people who are illegally here from having an Alaskan driver's license or identification card. A bill passed the Senate, but SB 215 is different with regard to Sections 1 and 2, which will save time and money. A 60-year-old can get a free five-year identification card. SB 215 provides for eight years instead of five. It costs the state to produce that card. By giving less away, it saves money.

[10:22:09 AM](#)

MR. BANNOCK said it is not about big brother. "If you believe that illegal aliens should not be allowed to have a valid Alaska driver's license or identification care, I urge your yes vote."

SCOTT MCMURREN, Travel Consultant, Anchorage, said he is not illegal, but he is a traveler. SB 215 allows the legislature to pass off their oversight with regard to the Division of Motor Vehicles. It is a back door to complying with "real i.d." Real I.D. is a bad thing. We do not need big national databases on travelers who have done nothing wrong. "These are the same folks who brought us the terrorist watch list - 700,000 people - my goodness, how many terrorists do we really need?"

[10:24:43 AM](#)

BILL SCANNEL, Anchorage, said he has personally fought national identification systems around the country for five years. This bill doesn't affect illegal aliens at all. They can't get a driver's license in Alaska today, but SB 215 forces everyone else to prove they are Americans - "to prove who we are by pulling out our birth certificates and passports and high school yearbooks and whatever." That is reprehensible. He asked why Americans should suffer such indignity just because the government can't control the borders. He said he spent four years, two months, and 18 days as an intelligence officer in West Berlin, and he saw what it meant to be forced to carry papers under communist countries. The bill is the cornerstone of

the Real I.D. Act. It will give the DMV tremendous powers to implement a national identification card.

[10:27:13 AM](#)

MATTHEW KERR, Anchorage, said he has personally opposed this bill for the past several years. It is more than a legal presence bill, which he would not be entirely opposed to, but there are more issues than that. He is philosophically against the bill as it is a path to the Real ID Act. It doesn't accomplish its goal, because illegal aliens can drive with their home country licenses. It will increase bureaucracy, and it charges the DMV with federal immigration enforcement. It changes the meaning of a driver's license. He said he doesn't support illegal immigration, but he doesn't support the bill that made it an additional crime for an illegal immigrant to be eating in a restaurant, riding on a bus, or something like that. He prefers that people on the road have drivers licenses. The license is for public safety, not for an individual benefit.

[10:29:42 AM](#)

MR. KERR said illegal immigrants may be able to drive legally in certain cases while still committing the crime of being here illegally. [Foreign] students are not necessarily granted a stay for the full time needed for their degree programs. They receive an I-20 form which is what actually dictates the length of their legal presence in this country. During a degree program, students will likely receive multiple I-20s. He gave an example where someone's I-20 could be in the mail when the driver's license expires, and the student could be arrested for not having a valid driver's license even though he or she is legally in the country. That person would then become deportable for having the crime of driving without a license. A fair compromise may be to require driver's license applicants to show legal presence at that time without setting an expiration date, other than the standard one.

[10:32:07 AM](#)

MR. KERR said a friend lived in Germany where public transportation allowed him not to drive. He came to Alaska to visit, and he was legally present. But the DMV couldn't understand how he was legally in the country. He had to find another DMV to issue a license, even though he was legally present under existing regulations. A friend of Mr. Kerr's is a Russian foreign student, and her passport expired and was renewed while she was in this country, so her current passport does not have her visa. He can foresee problems for her if she needs to renew her driver's license under the bill's rules. As a

computer programmer, Mr. Kerr finds it extremely troubling if the DMV were to scan and keep all the documents that were used to get the driver's license. If this bill passes, the DMV should be required to destroy copies of those documents. People with bad intentions may access that information.

CHAIR MCGUIRE turned the gavel over to Vice-Chair Stevens.

10:35:01 AM

JIM HARRISON, Attorney, said he has considerable expertise in identification-based domestic security. He said he is at the hearing at his own expense. Without this bill, Alaska can't comply with the "real i.d." SB 215 contains what is called "a legal presence requirement." The Real I.D. Act's final standards have been issued and require that states require driver's license applicants to prove citizenship. It is meant for everyone for every renewal, and it will need to be done in person. The DMV will decide what documents will be required. That allows the DMV to adopt its own standards. "As it is now, you will have to bring in your birth certificate, proof of legal presence, proof of residence, where you stay and what not." Mr. Bannock previously testified that last year's bill was changed so that renewing a driver's license would not be part of it, and that would mean that Alaska would not be real i.d. compliant.

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MR. HARRISON said this is expensive. States automatically renew licenses by mail, and the bill will prohibit that. "You have to appear in person. You have to swear under penalty of perjury that you say who you are." Copies of the personal documents will be made. There is no fiscal note on the bill, and it will be expensive. People will need to be trained and facilities will get overrun. He said the federal government wants real i.d.s for getting on airplanes, entering federal buildings, and for entering nuclear facilities. He asked if Alaska should buy into the idea of real i.d. There is danger of mission creep. There is talk about using real i.d. to verify the eligibility of employees and filling prescriptions. Physical security is much more effective than identification security. Searching people for weapons is more effective than secret lists of people. It is un-American to make people prove that they are not wanted on a list before they can freely move around the country.

10:41:11 AM

SENATOR HUGGINS said both sides are heartfelt. He shares some of the concerns. He is offended by a census category of what he looks like and what his DNA and complexion are. "I don't fill

out that portion." He doesn't provide his Social Security Number, either, if it is optional. He is offended by that. He spent time in the army and "salute those who have done that." But with or without this bill, a person has to "go in" to renew a driver's license. If a person has a driver's license or an identification card and is seeking a renewal, duplicate, or change of name, the person is presumed to meet the requirement of this bill if the license has not been expired for more than 90 days or suspended or revoked. "If this passes, we do not all have to run down to the DMV to get a new license." He said he doesn't support the concept of a national identification card right now. He uses his military identification card when he flies. Other things besides a driver's license can be used to get on an airplane, so the bill "doesn't create that sort of obstacle in my estimation." He will entertain modifications to protect Alaskans.

VICE-CHAIR STEVENS said he will hold SB 215.

The meeting was adjourned at [10:44:42 AM](#).