

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

February 26, 2009
8:04 a.m.

MEMBERS PRESENT

Representative Bob Lynn, Chair
Representative Paul Seaton, Vice Chair
Representative Carl Gatto
Representative Craig Johnson
Representative Peggy Wilson
Representative Max Gruenberg
Representative Pete Petersen

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 14

"An Act designating the Alaskan malamute as the official state dog."

- MOVED CSHB 14(STA) OUT OF COMMITTEE

HOUSE BILL NO. 136

"An Act limiting the release of certain information concerning certain public employees or officials."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 14

SHORT TITLE: ALASKAN MALAMUTE AS STATE DOG

SPONSOR(s): REPRESENTATIVE(s) GARDNER

| | | |
|----------|-----|---------------------------------|
| 01/20/09 | (H) | PREFILE RELEASED 1/9/09 |
| 01/20/09 | (H) | READ THE FIRST TIME - REFERRALS |
| 01/20/09 | (H) | STA |
| 02/26/09 | (H) | STA AT 8:00 AM CAPITOL 106 |

BILL: HB 136

SHORT TITLE: PUBLIC RECORDS EXCEPTIONS

SPONSOR(s): JUDICIARY

02/16/09 (H) READ THE FIRST TIME - REFERRALS
02/16/09 (H) STA, JUD
02/26/09 (H) STA AT 8:00 AM CAPITOL 106

WITNESS REGISTER

REPRESENTATIVE BERTA GARDNER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 14.

PAIGE HILL, Second-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

CIARA BRADY, Fourth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

RAIA STAMM, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

KAI ROBERTS, Fourth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in Support of HB 14.

SANNE CASSEE, Second-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

CALLY SHAFER, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

THOMAS TUNNELL, Third-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

ATTICUS MADLAND, Fifth-Grader

Polaris K-12 School
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 14.

ADELIN WRIGHT, Second-Grader
Polaris K-12 School
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 14.

WALKER PLATZEK, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 14.

CHRIS GRAY, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 14.

ROSEMARY FLESHER, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 14.

KAITLAN McLALLEN, Fourth-Grader
Polaris K-12 School
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 14.

ABBIGALE SEITZ, Third-Grader
Polaris K-12 School
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 14.

ONNI ENNIS-COCHRAN, Fourth-Grader
Polaris K-12 School
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 14.

JASMINE RISKI, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 14.

KENJI MATSUOKA, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

CLARA VEELMAN, Fourth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

SABRINA URBAN, Second-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

RALEIGH PIGG, Fourth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

OCEANA GAMEL-HOWES, Third-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

DESIREE ARMSTRONG, Third-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

RYAN TERRY, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

WILLIAM ROBERSON, Fourth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

JOEY AIST, Third-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

TRENT DEVEREUX, Fifth-Grader
Polaris K-12
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

GWYNETH MEEK, Third-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

TAYLOR BAGDON, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

JESSICA HUSA, Third-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

DUNCAN WRIGHT, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

YUNGSU WONG, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

SAMUEL MARTIN BROWN, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

KAYA PORTER, Fourth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

OWEN McGEE, Fifth-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

MAEVE WILEY, Third-Grader
Polaris K-12 School
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

MADELINE FLORES, Fifth-Grader
Polaris K-12 School

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 14.

REPRESENTATIVE JAY RAMRAS

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As chair of the House Judiciary Standing Committee, sponsor of HB 136, explained the catalyst for developing the legislation.

DANA STROMMEN, Staff

Representative Jay Ramras

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented HB 136 on behalf of the House Judiciary Standing Committee, sponsor, which is chaired by Representative Ramras.

JANE PIERSON, Staff

Representative Jay Ramras

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing of HB 136, on behalf of the House Judiciary Standing Committee, sponsor, which is chaired by Representative Ramras.

MARTY MCGEE, Assessor

Municipality of Anchorage

Anchorage, Alaska

POSITION STATEMENT: Testified during the hearing on HB 136.

SHARON WEDDLETON, Chief Financial Officer (CFO)

Municipality of Anchorage

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition of HB 136 as currently written.

SCOTT JOHNSON

Public Safety Employees Association, Inc. (PSEA)

(No address provided)

POSITION STATEMENT: Testified in support of HB 136.

ACTION NARRATIVE

[8:04:44 AM](#)

CHAIR BOB LYNN called the House State Affairs Standing Committee meeting to order at 8:04 a.m. Representatives Seaton, Gatto, Wilson, Petersen, and Lynn were present at the call to order. Representatives Johnson and Gruenberg arrived as the meeting was in progress.

HB 14-ALASKAN MALAMUTE AS STATE DOG

[8:05:18 AM](#)

CHAIR LYNN announced that the first order of business was HOUSE BILL NO. 14, "An Act designating the Alaskan malamute as the official state dog."

[8:05:58 AM](#)

REPRESENTATIVE BERTA GARDNER, Alaska State Legislature, as prime sponsor, presented HB 14. She said the bill proposes that the Alaskan Malamute be declared the official state dog, but that the importance of the bill far outreaches its subject. She explained the process that took place from the moment children from Polaris K-12 School in Anchorage approached her with the idea for the bill to its hearing today. She said many people think of the Husky when they think of Alaska, but the students - having done their research - persuaded her that the state dog should be the Alaskan Malamute. Every word supplied in the committee packet was either written by the students or at their request. The only role that the students could not take part in was the actual drafting of the bill. Representative Gardner stated that whatever the outcome of the hearing, her purpose was to show those children the process of "representative/citizen democracy." She said the children have learned a lot, especially that in a democracy, citizens can do more than simply vote.

[8:12:19 AM](#)

CHAIR LYNN read the bill.

[8:12:39 AM](#)

PAIGE HILL, Second-Grader, Polaris K-12 School, told the committee that her grandmother - a former teacher from North Carolina, during a visit two years ago, spent the day with Ms. Hill's kindergarten class and informed the class that the official state dog in North Carolina is the Plott Hound. This information led to discussion and the discovery that Alaska has

no official state dog. The students discovered that other state symbols, such as the Willow Ptarmigan, established in 1955, and the Fur-Spotted Skimmer Dragonfly, established in 1995, became symbols because of "kids working hard just like us." She said the students held discussions over whether to choose the husky or the Alaskan Malamute, and they chose the Alaskan Malamute because it is big like Alaska and is a hard worker like the people of Alaska.

MS. HILL said the following school year, two upper classes were asked to join the students in researching the history of the Alaskan Malamute. The students found out that the Alaskan Malamute has been in Alaska for thousands of years, is one of 12 ancient breeds, and is the only dog native to the United States. She stated, "We know that once people understand Alaskan Malamute's monumental history, they will realize that this is the ... dog to be our official state dog." Ms. Hill thanked the committee for taking the bill seriously.

[8:16:36 AM](#)

CIARA BRADY, Fourth-Grader, Polaris K-12 School, said some of the students initially thought that the husky should be chosen, but the information found convinced them that the Alaskan Malamute is the right choice to be Alaska's official state dog.

[8:17:27 AM](#)

RAIA STAMM, Fifth-Grader, Polaris K-12 School, stated that the Alaskan Malamute is a fine example of a breed of dog developed for a particular purpose. She explained that it helped early Arctic dwellers hunt and pull heavy sleds. The dogs were able to work for weeks on end without negative effects from the daily strain. Alaskan Malamutes helped during the gold rush. Ms. Stamm concluded that not only is the dog helpful, but it is also smart, loyal, works well with people, and sometimes even helped "raise the kids."

[8:18:26 AM](#)

KAI ROBERTS, Fourth-Grader, Polaris K-12 School, related that the Alaskan Malamute is around today and its characteristics have been preserved; therefore, theoretically today's Alaskan Malamutes are able to do the same job as their forefathers. Mr. Roberts concluded, "In other words, they continue to be the same amazing dogs that they were throughout Alaska's history."

[8:21:42 AM](#)

SANNE CASSEE, Second-Grader, Polaris K-12 School, reported that the Alaskan Malamute - one of the oldest Arctic sled dogs - was named after a Native Inuit tribe called Malamutes that settled along the shores of Kotzebue Sound, in the upper-western part of Alaska, within the Arctic circle.

[8:22:16 AM](#)

CALLY SHAFER, Fifth-Grader, Polaris K-12 School, told the committee that there are claims of the Alaskan Malamute's history in Alaska reaching from over 5,000 to up to 20,000 years. These claims are based on bone and ivory carvings found by archeologists, which show ancient Malamutes almost identical to today's breeds. Mr. Shafer noted that recent deoxyribonucleic acid (DNA) analysis confirms that the Alaskan Malamute is one of the oldest breeds of dog - one of 12 ancient breeds.

[8:23:10 AM](#)

THOMAS TUNNELL, Third-Grader, Polaris K-12 School, relayed that Eskimos originated the Malamute breed, and the original dogs weighed 120-180 pounds. Today's Malamute weighs approximately 85 pounds.

[8:23:44 AM](#)

ATTICUS MADLAND, Fifth-Grader, Polaris K-12 School, stated that the Alaskan Malamute is a Native Alaskan Arctic breed that is close cousins to the Eskimo dogs of Canada, Greenland, and Labrador. It is also cousin to the Samoyed of Russia and the Siberian Husky. Also in this group are dogs from Japan, Norway, Finland, Holland, and many other countries. Mr. Madland emphasized that out of over 150 breeds recognized by the American Kennel Club, the Alaskan Malamute is the only breed that is native to the United States.

[8:24:37 AM](#)

ADELINE WRIGHT, Second-Grader, Polaris K-12 School, noted that the Alaskan Malamute can stand severe cold temperatures. Because of their slow metabolisms, they eat only as much as a smaller dog, which makes them easier to feed and care for, she said. Furthermore, Alaskan Malamutes love people, especially children, and are good companions. Ms. Wright remarked that

malamutes are often mistaken for huskies. In response to a question from Chair Lynn, she confirmed that Malamutes are typically larger than huskies.

[8:25:57 AM](#)

WALKER PLATZEK, Fifth-Grader, Polaris K-12 School, stated that the Alaskan Malamute was never destined to be a racing sled dog; it was a working dog. It is a heavy-boned dog, with powerfully built, strong shoulders. When working, the Malamute has a steady and tireless gate, Mr. Platzek said, and the dog was used for heavy freight - pulling thousands of pounds of supplies to villages and camps. They were also used to hunt, set loose in packs to track polar bears.

[8:26:47 AM](#)

CHRIS GRAY, Fifth-Grader, Polaris K-12 School, reported that the Alaskan Malamute's ability was amazing and widely respected. Eskimos who lived inland traveled to the Kotzebue Sound to trade furs for dogs and supplies, which is how the Malamute found its way to other regions of Alaska and beyond to parts of Canada, including the Yukon, during the gold rush. The gold diggers and their dogs made the acquaintance of the Malamute "some 100 years ago."

[8:27:43 AM](#)

ROSEMARY FLESHER, Fifth-Grader, Polaris K-12 School, said during the students' research, they discovered that dog-mushing is Alaska's official sport. She stated, "To the people who feel that the husky should be our official state dog, we respectfully point out that they already are. Alaskan dog mushing would not be what it is today without the contributions of the husky. They are dog mushing."

[8:28:32 AM](#)

KAITLAN McLALLEN, Fourth-Grader, Polaris K-12 School, opined that designating the Alaskan Malamute as the official state dog would not only honor the dog's long history and important role in the earliest cultures of Alaska, but would also honor the first Alaskans who worked in partnership with this amazing dog.

[8:29:21 AM](#)

ABBIGALE SEITZ, Third-Grader, Polaris K-12 School, reported that Malamutes stayed with Inuit children while parents were out on hunts. The dogs are so gentle, Ms. Seitz said, that they allow human babies to "snuggle up with their puppies." She characterized the Malamute people's use of dogs as "a partnership for survival."

[8:30:16 AM](#)

ONNI ENNIS-COCHRAN, Fourth-Grader, Polaris K-12 School, related that in summer, the Malamute people hunted inland, while in winter, they hunted sea animals on the coast. Their dogs, the Alaskan Malamutes, hauled their possessions between locations, assisted with the hunt, and served to look out for bears during the caribou hunt.

[8:31:20 AM](#)

JASMINE RISKI, Fifth-Grader, Polaris K-12 School, noted that in the 1700s and 1800s, European explorers to Alaska were impressed with the Alaskan Malamute - not only by the hardiness of the dogs, but also by their owners obvious attachment to them. Early writings indicate that the dogs kept by the Malamute people were better cared for than other Arctic sled dogs, which Ms. Riski said seemingly accounts for the breed's affectionate disposition.

[8:32:08 AM](#)

KENJI MATSUOKA, Fifth-Grader, Polaris K-12 School, relayed that travel logs of the early Russian and English explorers often reported a superior work dog kept by the Malamute people. The dogs were described as less wild, friendlier, easy going, and capable of an enormous amount of work - both hunting and hauling. In response to a question from Representative Seaton, he said the people referred to as Malamutes are today referred to as the Inuit Tribe.

[8:33:25 AM](#)

CLARA VEELMAN, Fourth-Grader, Polaris K-12 School, reported that Captain James Cook came to Alaska in 1776 to find the fabled Northwest Passage from Europe to Asia. His journal shows that he was impressed by the "big, strong, hard-working Alaskan Malamute" - a dog that got along and worked well with humans.

[8:34:27 AM](#)

SABRINA URBAN, Second-Grader, Polaris K-12 School, said that by the time of the gold rush, the Alaskan Malamutes were in high demand because of their ability to haul equipment and people. In fact, prospectors would paid \$500 for one good dog and \$1,500 for a small team.

[8:35:05 AM](#)

RALEIGH PIGG, Fourth-Grader, Polaris K-12 School, told the committee that many dogs were being transported to Alaska during the gold rush, including Irish and English Setters, and Siberian Huskies from Russia. The demand for dogs outweighed their supply, he said.

[8:35:49 AM](#)

OCEANA GAMEL-HOWES, Third-Grader, Polaris K-12 School, shared that many people cross-bred their dogs with Alaskan Malamutes in an attempt to make them bigger, stronger, and more adapted to the climate. The Alaskan Malamute breed was almost lost during the gold rush era; however, a few dedicated Malamute enthusiasts helped to save the breed.

[8:36:24 AM](#)

DESIREE ARMSTRONG, Third-Grader, Polaris K-12 School, stated that long after the gold rush, Alaskan Malamutes continued to be a viable freight dog, because they were easy to care for and could pull heavy loads to areas that would otherwise not be accessible.

[8:36:54 AM](#)

RYAN TERRY, Fifth-Grader, Polaris K-12 School, reported that the Alaskan Malamute helped haul freight supplies and mail in Bush Alaska. After the gold rush, Alaskans, both Native and non-Native, continued to make good use of sled dogs for travel, hunting, and trapping. Most importantly, during the winter when mail could not be delivered by ship, dog teams carried mail in relays of 300 miles each over 1,000 miles of Alaska terrain. Mr. Terry said Alaskan Malamutes played a huge part in this. He continued: "They were the Mack trucks of their day. Often they were carrying 1,000 pounds of mail at one time, and it is said they would arrive in Nome, frisky and ready to run again." Mr. Terry, in response to Representative Wilson, confirmed that the

Alaskan Malamute was not used for racing, but rather for working.

[8:39:23 AM](#)

WILLIAM ROBERSON, Fourth-Grader, Polaris K-12 School, said the Siberian Husky was imported to Alaska in 1908 in an effort to have a faster sled dog for racing. People continued to "mix their dogs," and the Alaska Husky, Alaska's sled dog was developed. Mr. Roberson noted that dog mushing became the official state sport in 1972.

[8:40:34 AM](#)

JOEY AIST, Third-Grader, Polaris K-12 School, stated that during the 1925 serum run to Nome, Alaska, about 150 sled dogs relayed Diphtheria anti-toxin 674 miles by dog sled in a record-breaking 5.5 days, saving the people of Nome and the surrounding communities from an epidemic. Alaskan Malamutes played a role in this important event, he said, doing their part to carry that medicine to Nome.

[8:41:32 AM](#)

TRENT DEVEREUX, Fifth-Grader, Polaris K-12, related that Malamutes contributed to the polar expeditions of [Commander Robert E.] Perry, [Roald] Amundsen, and Admiral [Richard E.] Byrd to the South Pole. He said, "The successful of this vast continent could not have been accomplished without these dogs."

[8:42:06 AM](#)

GWYNETH MEEK, Third-Grader, Polaris K-12 School, said the Alaskan Malamute was important to America's efforts during World War II (WWII). The dogs pulled sleds in snow-covered areas that were not accessible to other, more mechanical means of transportation.

[8:42:44 AM](#)

TAYLOR BAGDON, Fifth-Grader, Polaris K-12 School, stated that during WWII, Alaskan Malamutes were used as pack animals to carry weaponry and ammunition across the frozen ground. They also served as search and rescue dogs and sniffed for land mines. In response to a question from Representative Gatto, he said the entire Polaris K-12 School student body and student

government supports the efforts of the students who instigated the bill.

[Herein was a conversation between committee members regarding school mascots.]

[8:48:11 AM](#)

JESSICA HUSA, Third-Grader, Polaris K-12 School, said during WWII, the United States Military tried to make the Alaskan Malamute a guard dog, but it failed the test, because it likes people too much to attack them.

[8:48:37 AM](#)

DUNCAN WRIGHT, Fifth-Grader, Polaris K-12 School, expressed the need for the "m" in Malamute to be capitalized. He reviewed the use of proper nouns in support of this position.

[8:50:29 AM](#)

REPRESENTATIVE GARDNER explained that Legislative Legal and Research Services maintains that the word "malamute" should be written in lower case.

[8:51:13 AM](#)

YUNGSHU WONG, Fifth-Grader, Polaris K-12 School, said the school children researched other state symbols and found that they are very specific. For example, the official state marine mammal of Alaska is not "the whale" - it's "the Bowhead whale"; and the state insect is not "the dragonfly" - it's "the Four-Spotted Skimmer dragonfly." He said the nine states that have an official state dog name a specific breed. The terms sled dog, mutt, and Alaska husky are general names, while the Alaskan Malamute is specific breed, he concluded.

[8:52:18 AM](#)

SAMUEL MARTIN BROWN, Fifth-Grader, Polaris K-12 School, indicated that there have been comments made in The Anchorage Daily News regarding choices for a state dog. He said while the students recognize that the Alaska husky has made a great contribution to Alaskans as a light working dog and a recreational sled dog, it does not have the extremely long history of the Alaskan Malamute.

[8:53:28 AM](#)

KAYA PORTER, Fourth-Grader, Polaris K-12 School, relayed that the history of the Alaskan Husky began with the gold rush in the late nineteenth and early twentieth centuries. The Siberian Husky was important to Alaska in 1908. In comparison, she said, the Alaskan Malamute has been in Alaska for at least 5,000 years.

[8:54:12 AM](#)

OWEN MCGEE, Fifth-Grader, Polaris K-12 School, talked about the Alaska husky as a racing dog, and the adoption of dog mushing as the official state sport of Alaska.

[8:54:39 AM](#)

MAEVE WILEY, Third-Grader, Polaris K-12 School, stated that the Alaskan Malamute represents Alaskans' proud, independent, and sometimes stubborn character, is friendly and fun-loving like Alaskans, and is huge like the state.

[8:55:09 AM](#)

MADELINE FLORES, Fifth-Grader, Polaris K-12 School, said Alaskans love dogs, and the Alaskan Malamute is Alaska's oldest dog, having been around for at least 5,000 years. The dog is intelligent, hardworking, and loyal, she said, and by honoring the Alaskan Malamute, the state would also be honoring the first people of Alaska. The dog has been actively involved in creating Alaska's history, she said. Ms. Flores concluded that the Alaskan Malamute deserves to be recognized as the official state dog of Alaska.

CHAIR LYNN congratulated the teachers of Polaris K-12 School for their assistance in this project.

[8:57:38 AM](#)

REPRESENTATIVE SEATON asked whether the American Kennel Club calls the dog Alaskan Malamute or Alaska Malamute.

[8:58:08 AM](#)

MS. FLORES answered that the dog is called the Alaskan Malamute.

[8:58:25 AM](#)

REPRESENTATIVE GRUENBERG noted that [the American Kennel Club] capitalizes "Malamute."

[8:59:20 AM](#)

CHAIR LYNN closed public testimony.

[8:59:29 AM](#)

REPRESENTATIVE WILSON moved to adopt Conceptual Amendment 1, to capitalize the initial "m" in Malamute where it occurs in the bill on lines 1 and 4.

REPRESENTATIVE JOHNSON objected for the purpose of discussion.

REPRESENTATIVE WILSON explained the meaning of a conceptual amendment to the children.

[9:01:51 AM](#)

REPRESENTATIVE PETERSEN said it is because of the previous testimony of [Mr. Wright] regarding the use of proper nouns that he supports Amendment 1.

[9:02:24 AM](#)

REPRESENTATIVE GATTO noted that Malamute can also be spelled Malemute, but indicated that the committee would not change the spelling chosen by the children.

[9:03:04 AM](#)

REPRESENTATIVE WILSON, in response to a question from Chair Lynn, confirmed that Conceptual Amendment 1 addresses the capitalization of the word Malamute, not the spelling.

[9:03:27 AM](#)

REPRESENTATIVE JOHNSON removed his objection to the adoption of Conceptual Amendment 1.

CHAIR LYNN noted that [although there was no further objection to Conceptual Amendment 1], he would ask for a roll call vote so that the children could experience how it is done.

[9:03:46 AM](#)

A roll call vote was taken. Representatives Gruenberg, Petersen, Seaton, Wilson, Gatto, Johnson, and Lynn voted in favor of adopting Conceptual Amendment 1. Therefore, Conceptual Amendment 1 was adopted by a vote of 7-0.

[9:04:40 AM](#)

REPRESENTATIVE GATTO talked about a weight pulling contest during which the Alaskan Malamute is used.

[9:05:51 AM](#)

REPRESENTATIVE SEATON moved to report HB 14 [as amended] out of committee with individual recommendations and the accompanying fiscal notes.

[9:06:33 AM](#)

REPRESENTATIVE JOHNSON objected [in order to illustrate the process for the children].

[9:07:15 AM](#)

A roll call vote was taken. Representatives Petersen, Seaton, Wilson, Gatto, Johnson, Gruenberg, and Lynn voted in favor of moving HB 14, as amended, out of committee with individual recommendations and the accompanying fiscal notes. Therefore, CSHB 14(STA) was reported out of the House State Affairs Standing Committee by a vote of 7-0.

[9:07:51 AM](#)

REPRESENTATIVE GARDNER said HB 14 is a reminder of the wonderful things that are happening in schools today.

HB 136-PUBLIC RECORDS EXCEPTIONS

[9:08:51 AM](#)

CHAIR LYNN announced that the last order of business was HOUSE BILL NO. 136, "An Act limiting the release of certain information concerning certain public employees or officials."

[9:09:10 AM](#)

REPRESENTATIVE SEATON moved to adopt the proposed committee substitute (CS) for HB 136, Version 26-LS0574\R, Luckhaupt, 2/25/09, as a work draft.

[9:09:32 AM](#)

REPRESENTATIVE JOHNSON objected for discussion purposes.

[9:10:30 AM](#)

REPRESENTATIVE JAY RAMRAS, Alaska State Legislature, as chair of the House Judiciary Standing Committee, sponsor of HB 136, talked about the catalyst of the bill. He said HB 136 is a bill intended to protect officers. He related an incident when law enforcement made arrests of those in a household producing methamphetamine. After that incident, it was found that the criminals had accessed information about those law enforcement officers, such as their names and addresses, which meant that they also could access the names of the schools those officers' children attended. The proposed bill would "shade" that information in order to protect the safety of those who could be threatened by criminals obtaining such information.

[9:12:21 AM](#)

DANA STROMMEN, Staff, Representative Jay Ramras, Alaska State Legislature, explained that the only change that would be made through Version R would be the addition of subsection (d), which would remove the state recorder's office in the Department of Natural Resources (DNR). She explained that Representative Ramras' office held a discussion with representatives of DNR regarding that entity's use of public records and "receiving information from entities outside of state offices," and that resulted in adding subsection (d).

[9:13:29 AM](#)

REPRESENTATIVE JOHNSON removed his objection; therefore Version R was before the committee.

[9:13:45 AM](#)

MS. STROMMEN introduced the bill. She said HB 136 addresses a growing concern - not only throughout Alaska, but throughout the United States - regarding the protection of privacy and personal information. The proposed legislation would provide safety officers and government officials, as well as their loved ones,

the assurance that their public records cannot be released upon request. The bill proposes that the aforementioned officers and government officials be provided the opportunity to file for confidentiality of the following information: name, address, name associated with property records, and telephone number. That information would not be released to the public if the confidentiality application [example included in the committee packet] was submitted.

[9:15:03 AM](#)

CHAIR LYNN asked if that would include the voter database.

MS. STROMMEN responded that the sponsor is collecting information regarding what needs to be included in the bill. Notwithstanding that, she said, "But at this point, yes, it would be anything that the state has access to not releasing information."

CHAIR LYNN asked how the bill would affect his ability to communicate with "a constituent who may be in one of these categories" either during legislative business or during a campaign.

MS. STROMMEN replied that the sponsor is currently discussing that issue with the Department of Law.

CHAIR LYNN remarked that any member of the public can buy a copy of the voter database for Alaska.

[9:16:53 AM](#)

REPRESENTATIVE JOHNSON asked if a confidentiality request filled out by a legislator would preclude the Alaska Public Offices Commission (APOC) from releasing any information from that legislator's records to the public.

[9:17:07 AM](#)

JANE PIERSON, Staff, Representative Jay Ramras, Alaska State Legislature, said a person who voluntarily fills out the confidentiality form would have his/her home address and telephone number protected.

[9:17:51 AM](#)

REPRESENTATIVE PETERSEN said he believes that HB 136 is well-intentioned, and he concurred that those in public positions need protection. However, he said he thinks the proposed legislation needs more development. He noted that elected officials are on the list, and said he may want to have them removed. He explained that the public wants to know whether or not their candidates live in their districts.

CHAIR LYNN noted that in the past, having only an opponent's post office box address, he asked the Division of Elections for the opponent's street address and was denied the information.

[9:19:41 AM](#)

REPRESENTATIVE SEATON cited language in the bill on page 1, lines 9-12, which read:

If a public record, such as an assessor's database, is compiled or annotated by physical address or other identifying characteristic, then the name of a person who is eligible for confidentiality under (b) of this section and has applied for confidentiality as provided in (c) of this section, may not be disclosed.

REPRESENTATIVE SEATON expressed concern that it would not just be the person's physical address, but also the person's name that would not be released.

[9:20:43 AM](#)

MS. PIERSON clarified that the address and assessor's information would be available, but not the name associated with that information.

CHAIR LYNN said it would then be possible to look at a list of property descriptions and know that those without names are properties of the people trying to maintain their confidentiality.

REPRESENTATIVE SEATON observed that through Version R, the state recorder's office would be exempted; therefore, the municipalities would be asked "to do exactly the same thing with exactly the same kind of cost that we're not willing the state to have to undergo."

MS. PIERSON confirmed that the municipalities would be required to comply. She stated her belief that subsection (d) was more

than just a cost issue. She explained that a huge amount of manpower would be required. She mentioned Uniform Commercial Code (UCC) filings - another part of law "where we would end up conflicting out."

REPRESENTATIVE SEATON noted that the boroughs record taxes, and he stated his understanding that the state does not maintain the tax base.

MS. PIERSON confirmed that is correct.

[9:24:01 AM](#)

REPRESENTATIVE WILSON expressed concern that if a person were to sign the confidentiality application and confidential information leaked accidentally, that person might sue the state.

MS. STROMMEN indicated the need to work with the Department of Law to include language in the request for confidentiality form so that "people aren't held responsible."

[9:25:05 AM](#)

REPRESENTATIVE GRUENBERG noted that the bill, if enacted, would become effective in 90 days. He echoed Representative Wilson's concern regarding lawsuits. He said he also shares Representative Petersen's remarks regarding the importance of making information about candidates available to the public. Furthermore, he pointed out that the bill would protect the prosecution, not the defense, and he said there have been situations where people have gone after their lawyers. He said, "This is a slippery slope situation here, and I don't know how to deal with it, but I do think that there are lots of issues in this bill that require careful determination by this committee." He said he supports the intent of the bill to protect law enforcement.

[9:27:18 AM](#)

MS. PIERSON noted that HB 136 is scheduled to come before the House Judiciary Standing Committee next, and she stated her belief that it would not "escape the process without a fiscal note."

[9:27:44 AM](#)

REPRESENTATIVE PETERSEN questioned whether the proposed legislation would work in an age of computer technology. In a matter of minutes, he said, an individual can get almost any information about any one. He said it would be expensive if someone had to develop a program for a personnel department, and it might not actually protect any one in the end.

MS. PIERSON affirmed that there are companies existing today that will provide information from many sources for a price. She stated, "And I think that's part of the concern is not having the first step be through state records and public records."

[9:29:15 AM](#)

MS. PIERSON, in response to Representative Gatto, said "site" addresses are not always the easiest to interpret. The use of them may or may not deter criminals. She said there is no way to totally get rid of them. In response to a comment by Chair Lynn, she acknowledged that it would be possible for her to go online to find out who lives anywhere in Fairbanks, just by accessing the assessor's database.

[9:31:13 AM](#)

REPRESENTATIVE WILSON said she knows of a woman who left her partner because of abuse, moved away, got an unlisted telephone number, and within a day, he had found that number. She said the bill is on a good track, but needs a lot more work.

CHAIR LYNN indicated a comparison between the bill and having a lock on a door: it will deter some, but not others.

[9:32:49 AM](#)

REPRESENTATIVE SEATON directed attention to subsection (d) and asked if the Division of Motor Vehicles (DMV) would still be included as a public agency.

MS. PIERSON characterized DMV as a "different hybrid," because the agency does not really give out a lot of public information. Notwithstanding that, she said the bill would prevent DMV from giving out personal information.

CHAIR LYNN clarified that only those with the proper authority can get that type of information from DMV.

[9:33:46 AM](#)

REPRESENTATIVE GRUENBERG commented that Representative Wilson was touching upon the need of victims for confidentiality. He indicated that there have been similar pieces of legislation in the past. He said he does not have an answer at present.

[9:34:47 AM](#)

REPRESENTATIVE SEATON expressed concern regarding the zero fiscal note generated by the Department of Public Safety [included in the committee packet] and the exemption created in subsection (d) of Version R. He said he would like to find out whether the exemption will create a zero fiscal note for the state agencies, and he said he would like an estimate of what the fiscal impact would be on the boroughs. He mentioned an e-mail he just received from his borough which relates that entity's concern that the proposed bill could impact 911 management as well as the geographic information system (GIS) and borough assessments.

[9:36:29 AM](#)

REPRESENTATIVE GRUENBERG said he would like to see that information when it becomes available.

[9:36:47 AM](#)

MS. STROMMEN, in response to a question from Representative Petersen, confirmed that other groups have been calling to ask to be included in the bill, and the sponsor will work with them to determine whether or not to add them.

[9:37:39 AM](#)

REPRESENTATIVE RAMRAS said the bill would make it more difficult, but not impossible, for the personal information of those on the list to be found by the public. He said he is sensitive to the tendency to [add on to a bill] like [decorating] a Christmas tree. He stated his interest is to cover those people who serve as Alaska's first line of defense, so that they and their families are not targeted. He expressed his desire to have a much narrower application of the bill.

[9:39:30 AM](#)

MARTY McGEE, Assessor, Municipality of Anchorage, said he is convinced that "legislation is not the way to address the problem." The only way to effectively protect individuals in jeopardy is to train them to protect their own identity, he opined. The proposed legislation would create a false sense of security when there are so many ways to access information on line. He said this is a global problem, and removing a person's name from his assessment list will not provide him/her with any security.

[9:42:17 AM](#)

MR. McGEE, in response to a question from Representative Gruenberg, said he thinks the legislature could help provide or fund training so that those targeted could protect themselves.

[9:43:22 AM](#)

REPRESENTATIVE PETERSEN said he agrees with Mr. McGee's remarks about how much information is available on the Internet. He said he does not consider himself Internet savvy, but was able to find the name, address, phone number, and employment information for a friend he had not seen in over 30 years in less than 10 minutes. He said he wonders if there may be a better way to solve the problem of the vulnerability of some of the state's law enforcement officials and public defenders.

[9:44:21 AM](#)

REPRESENTATIVE JOHNSON asked how Mr. McGee would propose someone be trained to take his/her name off a tax roll.

MR. McGEE said a person can put all his/her property into a series a trusts or corporations in order to protect his/her name. He added, "The law requires us in assessment to reflect the owner of record, so, it would automatically secure the problem, in terms of the database." In response to a remark from Representative Johnson about the cost of hiring an attorney, he noted that putting property into trusts or corporations can be done by individuals without the benefit of council. There are publications available. He relayed that the assessors offer public officials help in "establishing their state problems and other things like this," so there is no reason the assessors cannot offer those officials similar counseling regarding ownership of property and protection of identity.

REPRESENTATIVE JOHNSON offered his understanding that anyone can "go to state sites" to find out who is involved in trusts and corporations; therefore, he said legislation would be needed, even under the type of scenario which has been described by Mr. McGee, to protect those people with the trusts and corporations.

MR. MCGEE replied that he believes there is way to not have individuals' names appear. He indicated that the assessor's office views a lot of documents that are a recorded summary of trusts; the actual trust documents are not recorded. He said this is a problem encountered daily by those who work in the administration of exemption program.

[9:47:02 AM](#)

REPRESENTATIVE RAMRAS noted that the House Judiciary Standing Committee has had an overview regarding on line predators. Law enforcement has begun to address the issue, even though the problem is so vast. He encouraged the committee to pursue on line protection. He stated, "Requesting line officers to go get trusts and create corporations is so extraordinarily cumbersome, that in my mind [it] is not a realistic solution." He reiterated his intent to provide initial safety measures for those who serve to protect the public.

[9:48:23 AM](#)

REPRESENTATIVE JOHNSON said he would like to know how many people the bill may protect.

[9:49:15 AM](#)

SHARON WEDDLETON, Chief Financial Officer (CFO), Municipality of Anchorage, testified in opposition of HB 136 as currently written. She stated her belief that the intent of the bill was narrow, but the impact of the bill in its current form is broad to the point where it would be an administrative burden. Regarding the zero fiscal note, she said there would be a fiscal impact to the Municipality of Anchorage.

MS. WEDDLETON shared examples of how the bill would affect the municipality. First, if a prosecuting attorney working for the Municipality of Anchorage pays the United Way his/her annual contribution via a personal check, that check includes his/her name and address. The municipality shares that information with United Way when the money is distributed, but the proposed bill would make that unlawful. Next, she indicated that [the

proposed bill] would prevent the municipality from being able to administer Consolidated Omnibus Budget Reform Act (COBRA) benefits for people who have applied for confidentiality and are municipal employees. The bill would affect the administration of health insurance with a third-party administrator and the administration of health benefits with pharmacies and doctors. Furthermore, it would affect the municipality's ability to work with the State of Alaska Public Employees' Retirement System (PERS), which requires the municipality to constantly share the names and addresses of people who might apply for confidentiality. Moreover, the administration of the municipality's 401 K and 457 plans would be affected.

MS. WEDDLETON continued offering examples of the bill's possible effects. She related that when the levy upon connection roll is presented for assembly approval, there are names and physical addresses on those rolls that would have to be "scrubbed by comparing them to the list." She pointed out that when people who would apply for confidentiality next apply to be members of public commissions, their resumes - which show their names and addresses - would be subject to public review by the assembly. Other business of the municipality that would be affected by the bill include the municipality's stop-loss program, its enforcement of liens, the collection of unpaid debts, the sending of W-2s to the IRS, and the response to lenders when a person who's replied for confidentiality applies for a mortgage.

MS. WEDDLETON stated her belief that HB 136 needs to be substantially amended to bring it back within its original scope. She said the list of examples she gave is an extremely short one; it would take a few phone calls to extend it to 500 examples of how the bill, in its current form, "could change municipal practices at substantial cost." She warned that the municipality would be exposed [to lawsuits] because of inadvertent errors. She said she believes the bill is not necessary because, as Mr. McGee said, a person can put his/her home in a trust, use a post office box, get an unlisted phone number, and should be eligible to receive training on how to protect his/her confidentiality. She said concurred with the idea that privacy is an illusion. She cited as an example a check written at a grocery store, the information on which can be seen by "an unlimited number of people from that point on." Privacy cannot be ensured through the proposed legislation, she opined.

[9:54:08 AM](#)

MS. WEDDLETON, in response to Representative Johnson, clarified that the municipality would not give PERS information out to just anybody who calls them. She explained that the municipality is constantly interacting with entities outside of the Municipality of Anchorage, where, for business reasons, it communicates a person's name, address, and sometimes a telephone number. She said the bill, although not its intent, would prohibit the municipality from doing that. In response to a follow-up question, she indicated that the entities with whom the municipality currently shares confidential information include health insurance companies and 401 K companies.

[9:55:58 AM](#)

SCOTT JOHNSON, Public Safety Employees Association, Inc. (PSEA), said he is testifying as a lifelong Alaskan, father of three, husband, and off-duty policeman. He stated that HB 136 is important to anyone in public service who has ever arrested someone or secured them in jail for committing a crime against society. That includes, correctional officers, judges, police officers, and district attorneys, who are all at risk of retaliation. He said this is a significant problem in the Lower 48, and he fears it is only a matter of time before it becomes a problem in Alaska. He related that he is currently an 18-year veteran of Alaska law enforcement and has been a case officer for several high profile cases where sexual predators and murderers have been sentenced to a lengthy prison term, and he said he is fearful of retaliation at some point in time.

MR. JOHNSON said he is currently working undercover assignments and his unit has investigated, arrested, charged, and prosecuted many serious offenders. Most of those arrests have concluded with the offender receiving significant penalties. Because of the nature of their work, Mr. Johnson said, the members of his unit go to great lengths to conceal their office location, the vehicles they drive, and - most importantly - their residential addresses. He said there are times, such as when he must testify in court, when he has to state his name, and, armed with just that name, defendants can easily search the borough property database and obtain Mr. Johnson's home location - even going so far as to printing out a map of the front door. He concurred with the bill sponsor that the intent of the bill is to shut down that one avenue of access. He added that his job takes him away from home for days at a time, which leaves his family vulnerable and unprotected. He stated that he thinks HB 136 is good for all Alaskans, because it would enhance police officers' ability to effectively perform their duties without

undue concern for the safety of their families and themselves. He said he would appreciate the committee's support for HB 136.

9:59:03 AM

REPRESENTATIVE SEATON said he wants to ensure that if significant burden is going to be put on municipalities that the effect will be complete, and it will not be found later that there is a more open data base that is already available.

[HB 136 was held over.]

10:00:00 AM

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 10:00 a.m.